

Legislative Digest

Week of October 11, 1999

Vol. XXVIII, #29, October 8, 1999

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

Monday, October 11

House Not in Session

Tuesday, October 12

*House Meets at 12:30 p.m. for Morning Hour and 2:00 p.m. for Legislative Business
(No Votes Before 6:00 p.m.)*

**** One “Corrections Day” Bill**

H.R. 576 Adding Martin Luther King Jr. Day to the “Flag Code”p.1

**** 15 Suspensions**

H.R. 1791 Federal Law Enforcement Animal Protection Act.....p.2
H.R. 1374 Designating the John K. Rafferty Hamilton Post Office.....p.3
H.R. 2591 Designating the William H. Avery Post Office.....p.3
H.R. 2460 Designating the Jay Hanna Dean Post Office.....p.3
H.R. 2357 Designating the Louise Stokes Post Office.....p.3
H.R. 643 Designating the Augustus F. Hawkins Post Office.....p.4
H.Res. 303 Urging that 95 Percent of Federal Education Dollars Be Spent in the Classroom.....p.5
H.R. 1932 Father Theodore Hesburgh Congressional Gold Medal Act.....p.6
H.R. 1615 Lamprey Wild and Scenic River Extension Act.....p.7
H.R. 1665 Wilderness Battlefield Land Acquisition Act.....p.8
H.R. 20 Upper Delaware Scenic and Recreational River Mongaup Visitor Center Act.....p.9
H.R. 748 Keweenaw National Historical Parks Advisory Commission Act.....p.10
H.R. 3036 Restoring Motor Carrier Enforcement Authority to the Federal Highway Administration.....p.11
S. 800 Wireless Communications and Public Safety Act.....p.12
H.R. 2130 Date Rape Prevention Drug Act.....p.14

—Continued on Next Page—

Wednesday, October 13 and the Balance of the Week

Wednesday and Thursday, House Meets at 10:00 a.m. for Legislative Business

Friday, House Meets at 9:00 a.m. for Legislative Business

H.R. ____	FY 2000 Departments of Labor, Health and Human Services, and Education Appropriations Act.....	p.17
H.R. 1993	Export Enhancement Act.....	p.48
H.R. 2679	Motor Carrier Safety Act.....	p.52

Brian Fortune: *Managing Editor*

Kevin Smith: *Senior Legislative Analyst*

Mary Rose Baker, Scott Galupo,
Brendan Shields, & Heather Valentine:
Legislative Analysts

House
REPUBLICAN
Conference

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Adding Martin Luther King Jr. Day to the “Flag Code”

H.R. 576

Committee on the Judiciary
H.Rept. 106-176
Introduced by Mr. Bentsen on February 4, 1999

Floor Situation:

The House is scheduled to consider H.R. 576 on Tuesday, October 12, 1999, under the “corrections day” procedure. It is debatable for one hour, may be amended only by the chairman of the committee of jurisdiction, and requires a three-fifths majority vote for passage. House rules provide for one motion to recommit, with or without instructions.

Summary:

H.R. 576 amends a section of current law referred to as the “Flag Code” to add the Martin Luther King Jr. holiday—observed the third Monday of January—to the list of days on which the flag should especially be displayed. It is the only federal holiday not listed in the Flag Code (Congress approved the holiday in 1983 but, due to an oversight, failed to add the holiday to the list). The bill encourages Americans to honor the nation’s greatest civil rights leader in the same way that other historic figures are remembered during federal holidays.

Costs/Committee Action:

CBO estimates that enactment will have no impact on the federal budget. The bill does not affect direct spending, so pay-as-you-go procedures do not apply.

The Judiciary Committee reported the bill by voice vote May 19, 1999.



Scott Galupo, 226-2305

Federal Law Enforcement Animal Protection Act

H.R. 1791

Committee on the Judiciary

No Report Filed

Introduced by Messrs. Weller, Rothman, and Chabot

Floor Situation:

The House is scheduled to consider H.R. 1791 under suspension of the rules on Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 1791 amends current law to establish a fine of at least \$1,000 and up to one year in prison for willfully harming any police animal or conspiring to do so. If the offense disables, disfigures, or kills the animal, the measure establishes a fine of at least \$1,000 and up to 10 years imprisonment. The bill defines “police animal” as a dog or horse employed by a federal agency to detect criminal activity, enforce laws, or apprehend offenders. Under current law, federal canines and horses are protected only by statutes regarding destruction of government property. If a police animal is assaulted or killed today, current law does not provide mandatory jail sentences; it offers the option of prison in lieu of paying a fine. To date, 27 states have passed law enforcement animal protection laws.

Last year, Border Patrol canines helped to apprehend more than 32,000 suspected illegal aliens, sniffed out more than 150 tons of marijuana, four tons of cocaine, 159,000 ounces of heroin, and \$2 million in suspected drug currency. The U.S. Capitol Police notes that canines cost between \$2,500 and \$3,000; training the dog and its handler costs more than \$20,000. The U.S. Park Police reports that horses cost up to \$2,500 annually to feed and keep healthy.

Costs/Committee Action:

CBO estimates that enactment will have no significant impact on the federal budget. The bill may affect direct spending, so pay-as-you-go procedures apply.

The Judiciary Committee reported the bill by voice vote on September 22, 1999.



Scott Galupo, 226-2305

Bills Designating Federal Post Offices and Buildings

H.R. 1374, H.R. 2591, H.R. 2460, H.R. 2357, and H.R. 643

Committee on Government Reform

No Reports Filed

Floor Situation:

The House is scheduled to consider the following five bills under suspension of the rules on Tuesday, October 12, 1999. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 1374 designates the post office located on 680 State Highway 130 in Hamilton, New Jersey, as the “John K. Rafferty Hamilton Post Office Building.” Mayor Rafferty became the first full-time mayor of Hamilton in 1976 and plans to serve in this capacity until the completion of this term early next year. He is the recipient of numerous awards, including the Young Men’s Christian Association Man of the Year award in 1992 and the New Jersey Conference of Mayors’ Mayor of the Year award in 1997. The bill was introduced by Mr. Smith (NJ) and was reported on September 30, 1999.

H.R. 2591 designates the post office located on 713 Elm Street in Wakefield, Kansas, as the “William H. Avery Post Office.” Mr. Avery was elected to the Kansas State House of Representatives and served from 1951 to 1955. He represented the people of Kansas in the U.S. Congress from 1955 to 1965. Mr. Avery was then elected as the 37th governor of Kansas, serving one term. He currently resides in Wakefield. The bill was introduced by Mr. Moran (KS) *et al.* and was reported by voice vote on September 30, 1999.

H.R. 2460 designates the post office located on 125 Border Avenue West in Wiggins, Mississippi, as the “Jay Hanna ‘Dizzy’ Dean Post Office.” Dizzy Dean was a baseball pitcher for the St. Louis Cardinals from 1930 to 1937, the Chicago Cubs from 1938 to 1941, and the St. Louis Browns in 1947. In 1934, he won 30 games for the Cardinals, leading the team to a World Series victory. After an injury cut short his career, Mr. Dean became a baseball telecaster and then hosted a weekly national television program featuring the Major League Baseball Game of the Week. He was inducted into the Baseball Hall of Fame in 1953. The bill was introduced by Mr. Taylor *et al.* and was reported by voice vote on September 30, 1999.

H.R. 2357 designates the post office located at 3675 Warrensville Center Road in Shaker Heights, Ohio as the “Louise Stokes Post Office.” Mrs. Stokes learned the value of hard work as she did chores on her family farm. She later instilled her values in her sons and required them to find jobs and contribute to the family income. She taught her sons that education and hard work were the tickets to success. The boys took their mother’s advice. Louis Stokes graduated from Case Western Reserve and Cleveland Marshall Law School. He served as a civil rights attorney and in 1968 became the first black congressman from Ohio. Carl Stokes graduated from Marshall Law School. In 1968, he became the first black mayor of a major U.S. city. He later was appointed U.S. ambassador to Seychelles. Mrs. Stokes received several

awards in her lifetime, including Cleveland's Woman of the Year and the Ohio Mother of the Year award. The bill was introduced by Mr. Traficant was reported by voice vote on September 30, 1999.

H.R. 643 designates the federal building located on 10301 South Compton Avenue in Los Angeles, California, currently known as the Watts Finance Office, as the "Augustus F. Hawkins Post Office Building." Former Representative Hawkins served in the California State assembly from 1934 to 1963. He was elected to the 88th Congress and to 13 succeeding Congresses. Mr. Hawkins is remembered for sponsoring the 1978 Humphrey-Hawkins Full Employment and Balanced Growth Act, a bill to reduce unemployment and move ahead in job training. The bill was introduced by Ms. Millender-McDonald *et al.* and was reported by voice vote on September 30, 1999.



Mary Rose Baker, 226-6871

Urging that 95 Percent of Federal Education Funds Be Spent in the Classroom

H.Res. 303

Committee on Education & the Workforce
No Report Filed
Introduced by Mr. Pitts on September 23, 1999

Floor Situation:

The House is expected to consider H.Res. 303 under suspension of the rules on Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.Res. 303 expresses the sense of Congress urging the Department of Education, states, and local educational agencies to ensure that at least 95 percent of federal education funding is spent to improve the academic achievement of children in the classroom.

States have reported that more than 50 percent of their paperwork and administration costs are associated with federal education funding, despite the fact that they receive less than 10 percent of their overall funding from the federal government. The resolution notes that Education Department statistics on the percentage of funding spent in the classroom does not take into account what states must spend to apply for federal dollars and comply with requirements. The *Digest of Education Statistics*, the measure further notes, reported that during the 1995-96 school year, only 54 percent of the \$279 billion spent on elementary and secondary education was spent on instruction. In FY 1998, the Education Department's paperwork and data reporting requirements totaled 40 million "burden hours"—the equivalent of 19,300 people working 40 hours a week for one full year. H.Res. 303 asserts that more education funding should be put in the hands of a teacher in a classroom who knows the child's name.

Committee Action:

The resolution was not reported by a House committee.



Scott Galupo, 226-2305

Presenting a Congressional Gold Medal to Father Theodore Hesburgh

H.R. 1932

Committee on Banking & Financial Services
No Report Filed
Introduced by Mr. Roemer *et al.* on May 25, 1999

Floor Situation:

The House is scheduled to consider H.R. 1932 under suspension of the rules on Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 1932 authorizes the president to present, on behalf of Congress, a gold medal to Father Theodore Hesburgh in recognition of his contributions to the nation. The bill authorizes up to \$30,000 to pay for producing the medal and also authorizes the Treasury Secretary to sell authentic bronze reproductions to recoup its cost.

Father Hesburgh, president emeritus of the University of Notre Dame, has held 15 presidential appointments and is recognized as a national leader in education, civil rights, and development of the world's poorest nations. Among his most notable awards, President Johnson awarded him the Medal of Freedom, the nation's highest civilian honor, in 1964. He was a charter member of the U.S. Commission on Civil Rights, created by Congress in 1957 and chaired the commission from 1969 to 1972. He stepped down as head of the University of Notre Dame in 1987 after 35 years, ending the longest tenure among active presidents of American colleges and universities.

Father Hesburgh also devoted a great deal of time and attention to global problems. He served four Popes in many capacities, including as the permanent Vatican City representative to the International Atomic Energy Agency in Vienna from 1956-1970. In 1971, he joined the board of the Overseas Developing Council, a private organization supporting interests of the underdeveloped world, and chaired it until 1982. During this time, he led fundraising efforts that averted mass starvation in Cambodia in the immediate aftermath of the Khmer Rouge.

Costs/Committee Action:

A CBO cost estimate was unavailable at press time.

The bill was not reported by a House committee.



Kevin Smith, 226-7862

Lamprey Wild and Scenic River Extension Act

H.R. 1615

Committee on Resources
H.Rept. 106-368
Introduced by Mr. Sununu on April 28, 1999

Floor Situation:

The House is scheduled to consider H.R. 1615 under suspension of the rules on Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 1615 amends the 1968 Wild and Scenic Rivers Act (*P.L. 90-542*) to include a 12-mile portion of the Lamprey River in Epping, New Hampshire, in the Wild and Scenic River designation. The 1996 Omnibus Parks and Public Lands Management Act (*P.L. 104-333*) designated 11.5 miles of the Lamprey River as “wild and scenic.” A study conducted in 1995 found that the 12-mile portion of the river designated under this bill qualifies as an addition to the Wild and Scenic River system. The town of Epping, New Hampshire, has voted to include the portion of the river into the system. The Lamprey River is home to numerous recreational activities, including fishing, kayaking, and camping.

Costs/Committee Action:

CBO estimates that enactment of H.R. 1615 will cost less than \$100,000 annually. The bill does not affect direct spending, so pay-as-you-go procedures do not apply.

The Resources Committee reported the bill by voice vote on September 22, 1999.



Heather Valentine, 226-7860

Wilderness Battlefield Land Acquisition Act

H.R. 1665

Committee on Resources

H.Rept. 106-362

Introduced by Mr. Bateman on May 4, 1999

Floor Situation:

The House is scheduled to consider H.R. 1665 under suspension of the rules on Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 1665 permits the National Park Service (NPS) to obtain land by purchase, exchange, or donation for an addition to the Wilderness Battlefield in Virginia. Under current law (*P.L. 102-541*), the NPS may obtain land for the Wilderness Battlefield only by donation. Recently, private owners of three parcels of land totaling 725 acres within the Wilderness Battlefield have expressed a desire to sell their land. This bill allows the NPS to purchase this land.

The Battle of the Wilderness took place on May 5-6, 1864, after the Union had essentially defeated all Confederate forces west of the Mississippi and could concentrate all its efforts in the eastern theater. Before the beginning of this battle, Ulysses S. Grant was elevated to Commander of all Union armies after his strong leadership in the battles of Vicksburg and Chattanooga. The Battle of the Wilderness was the first time the Union forces met Robert E. Lee's Army of Northern Virginia under Grant's leadership. After two days of fighting, the armies battled to a draw, with 18,000 Union and 7,500 Confederate soldiers left wounded or dead on the field. This draw led to the Battle of Spotsylvania Courthouse two weeks later.

Costs/Committee Action:

CBO estimates that enactment of H.R. 1665 will cost \$7 million to acquire the three parcels of land. The bill does not affect direct spending, so pay-as-you-go procedures do not apply.

The Resources Committee ordered the bill reported by voice vote on September 22, 1999.



Heather Valentine, 226-7860

Upper Delaware Scenic and Recreational River Mongaup Visitor Center Act

H.R. 20

Committee on Resources
H.Rept. 106-361
Introduced by Mr. Gilman on January 6, 1999

Floor Situation:

The House is scheduled to consider H.R. 20 under suspension of the rules on Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 20 authorizes the Interior Secretary to enter into a 99-year lease for state-owned land within the area known as the Upper Delaware Scenic and Recreational River in Mongaup, New York. It also requires the secretary to build and operate a visitor center within the area.

The Upper Delaware Scenic and Recreational Area and its approved management plan was established in June 1993. At this time, the state of New York authorized a 99-year lease between the state Environmental Conservation Department and the National Park Service. Because the original authorization limits federal authority to acquire land, congressional approval is needed to provide funding to build and operate a visitor center on the leased land.

The Upper Delaware Scenic and Recreational River was authorized in 1978 as part of the National Wild and Scenic Rivers System. The river, which stretches 73 miles along the New York-Pennsylvania border, provides numerous recreational activities including rafting, fishing, and bird watching. The visitor center will provide service and attraction information for the area as well as exhibits on bald eagles, the history of the area, and safety information.

Costs/Committee Action:

CBO estimates that enactment of H.R. 20 will cost \$7 million over the next four years to construct a visitor center. Once completed, CBO estimates that the center will cost approximately \$600,000 annually to operate. The bill does not affect direct spending, so pay-as-you-go procedures do not apply.

The Resources Committee reported the bill by voice vote on September 22, 1999.



Heather Valentine, 226-7860

Keweenaw National Historical Park Advisory Commission Amendments Act H.R. 748

Committee on Resources
H.Rept. 106-367
Introduced by Mr. Stupak on February 11, 1999

Floor Situation:

The House is scheduled to consider H.R. 748 under suspension of the rules on Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

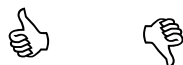
H.R. 748 amends the act that established the Keweenaw National Historical Park (*P.L. 102-543*) to require the Interior Secretary to *consider* nominees of local interest when appointing the Keweenaw National Historical Park Advisory Commission. Under current law, the commission is selected from nominees submitted by local government entities. This procedure raised Constitutional concerns over the Appointments Clause because the statute directs the Interior Secretary to appoint to the commission persons nominated by state and local officials. Thus, the bill restores the appointment authority to allow local interests to nominate candidates for consideration.

The Keweenaw National Historical Park Advisory Commission was established in 1992 to advise the Interior Secretary on developing and implementing the park management plan and disbursing funds to develop non-federal property. The park commemorates the copper mining life on Keweenaw Peninsula in Michigan, the only place in the world where pure, native copper is found. In addition, the park is the site of the oldest metal mining heritage in the Western Hemisphere, dating back some 7,000 years.

Costs/Committee Action:

CBO estimates that enactment of H.R. 748 will have no impact on the federal budget. The bill does not affect direct spending, so pay-as-you-go procedures do not apply.

The Resources Committee reported H.R. 748 by voice vote on September 22, 1999.



Heather Valentine, 226-7860

Restoring Motor Carrier Enforcement Authority to the Federal Highway Administration

H.R. 3036

Committee on Transportation & Infrastructure
No Report Filed
Introduced by Mr. Shuster *et al.* on October 7, 1999

Floor Situation:

The House is scheduled to consider H.R. 3036 under suspension of the rules on Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary:

H.R. 3036 restores the Federal Highway Administration's authority to enforce federal truck safety laws. The FY 2000 Transportation Appropriations Act conference report (H.R. 2084; *H.Rept. 106-355*) included a provision that prohibits funds in the bill from being used to carry out the functions and operations of the Office of Motor Carriers & Highway Safety unless the office is transferred from the Federal Highway Administration. At press time, the president had not yet signed the measure. The bill suspends the provision and allows the agency's enforcement authority to continue uninterrupted, until the enactment of authorizing legislation to transfer enforcement responsibilities to a separate agency within the Transportation Department. The House is scheduled to consider such legislation (H.R. 2679) later this week.

Over the last several years, the Transportation Committee has held a number of hearings on the Office of Motor Carriers (OMC) and its operations (including its placement within the Department of Transportation), the statistical trends related to motor carrier safety, the federal motor carrier safety grants program, and federal and state government roles in overseeing and enforcing motor carrier safety laws and regulations. In 1998, the Appropriations Committee included a provision to transfer the OMC from the Federal Highway Administration to the National Highway Traffic Safety Administration in the FY 1999 transportation appropriations bill. However, the provision was stricken on a point of order during House consideration of the measure.

Costs/Committee Action:

A CBO cost estimate was unavailable at press time.

The bill was not reported by a House committee.



Kevin Smith, 226-7862

Wireless Communications and Public Safety Act

S. 800

Committee on Commerce, Science, and Transportation

S.Rept. 106-138

Introduced by Senator Burns on April 14, 1999

Floor Situation:

The House is scheduled to consider S. 800 under suspension of the rules on Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority for passage.

Summary:

S. 800 requires the Federal Communications Commission (FCC) to use its existing numbering authority to designate 911 as the nationwide emergency number and directs the FCC to establish appropriate transition rules to implement the legislation. The bill includes a number of measures to provide the same liability protections to *wireless* carriers that are accorded to *wireline* telecommunications services carriers. In addition, the measure accords an individual using wireless 911 the same protection from liability that a user of wireline 911 has in a particular jurisdiction.

The measure allows carriers to provide the information about a mobile phone user's call location to emergency dispatch providers and personnel to respond to the user's emergency call or to the user's immediate family in a life-threatening situation. The measure requires the customer's express prior authorization before disclosing location information to any other person.

The Senate passed S. 800 by unanimous consent on August 5, 1999. The House passed similar legislation (H.R. 438; *H.Rept. 106-25*) by a vote of 415-2 on February 24, 1999. The Senate legislation differs from the House version in two areas. First, the House bill included a two-year window during which states may adopt a liability standard other than parity for non-emergency wireless (the Senate version does not have such a window). Second, the Senate bill includes liability protection parity for the public service answering points (PSAPs; *i.e.*, the people who answer the emergency calls) for wireless calls at the same level provided by the PSAPs for wireline calls (the House bill does not have a similar provision).

Background:

In 1997, nearly 42,000 people were killed in the 6.8 million motor vehicle crashes reported to police. In addition, those crashes resulted in nearly 3.4 million injuries. While deaths from motor vehicle crashes have been declining in recent years, deaths at the scene prior to receiving emergency medical care have doubled in the past 20 years, totaling more than 20,000 per year. For 40 percent of crash fatalities, the response time for emergency personnel is 20 minutes or more. In urban areas, response times for fatal crashes is often as much as 30 minutes; in rural areas, it can be as long as 50 minutes.

While people are driving safer cars and are exercising better judgment in their driving behavior, many people are also providing themselves with an extra measure of security through the use of wireless phones.

Today, approximately 65 million Americans subscribe to cellular or other personal wireless services, with millions of new subscribers each year. Among the most commonly used methods for requesting emergency assistance is the use of the 911 service. Cellular phone users place over 30 million calls to 911 each year. Consumers are using these phones to call for help for themselves, to report other drivers' accidents or injuries, and to report erratic or aggressive drivers to authorities.

Unfortunately, whereas 911 is the number to call from a *wireline* phone in most areas of the country when requesting emergency assistance or reporting a crime, in many states 911 is not the emergency number to call when calling from a *wireless* phone. These emergency numbers range from #77 for the Pennsylvania State Police, to *MSP for the Massachusetts State Police, to the regular seven-digit phone number of the local police or sheriff's department. As a result, it is often impossible for travelers to know the correct number to call. S. 800 establishes a single emergency number for both wireless and wireline coverage.

Costs/Committee Action:

CBO estimates that enactment of S. 800 will have no significant impact on the federal budget.

The Senate Committee on Commerce, Science, and Transportation reported the bill by unanimous consent on June 23, 1999.



Brendan Shields, 226-0378

Date Rape Drug Prevention Act

H.R. 2130

Committee on Commerce
H.Rept. 106-340, Pt. I
Introduced by Mr. Upton on June 10, 1999

Floor Situation:

The House is scheduled to consider H.R. 2130 under suspension of the rules Tuesday, October 12, 1999. It is debatable for 40 minutes, may not be amended, and requires a two-thirds majority for passage.

Summary:

H.R. 2130 enhances law enforcement efforts to control the distribution and abuse of certain “date-rape” drugs. Specifically, the bill amends the 1970 Controlled Substances Act (*P.L. 91-513*) to list (1) Gamma Hydroxybutyric Acid (GHB) (a central nervous system depressant) as a Schedule I drug, which is the DEA’s most regulated drug category; (2) Ketamine (an animal tranquilizer) as a Schedule III drug; and (3) Gamma Butyrolactone (GBL—the chemical precursor to GHB) as a List I chemical, the DEA’s most regulated chemical category.

The bill also requires the Department of Health and Human Services (HHS) Secretary to develop and implement a national education campaign to inform young people, law enforcement personnel, educators, school nurses, rape victim counselors, and hospital emergency room personnel on (1) the dangers of the date-rape drugs; (2) the criminal penalties for abusing and selling date-rape drugs; (3) recognizing the symptoms of date-rape drug ingestion (including symptoms of sexual assault); and (4) how to help an affected individual. In addition, the secretary must establish an advisory committee to make recommendations to the secretary on the plan. Finally, the measure directs the secretary to submit to Congress annual estimates on the number cases of abuse of date-rape drugs.

Background:

The 1970 Controlled Substances Act (CSA; *P.L. 91-513*) restricts the use and distribution of certain drugs (*e.g.*, heroin, amphetamines, cocaine) by listing these drugs as controlled substances. The schedule is based on an eight-factor analysis which includes the drug’s (1) potential for abuse, (2) scientific evidence of pharmacological effects, (3) current scientific knowledge, (4) history and current patterns of abuse, (5) significance of abuse, (6) risk to public health, (7) psychic or physiological dependence, and (8) and immediate precursor.

The CSA authorizes the classification of particular drugs into five categories of controlled substances, known as schedules, which determine the public availability of the drug, storage and prescription requirements, and penalties for their misuse. The CSA classification process requires the Drug Enforcement Agency (DEA) to submit data to HHS and request that HHS conduct a medical and scientific evaluation of

the substance in question. HHS then must recommend as to whether and in what schedule the substance should be controlled. If the DEA finds that these facts and all other relevant data constitute substantial evidence of potential for abuse, it may institute a rule-making proceeding to add the substance to a schedule or transfer it between schedules.

Gamma Hydroxybutyrate (GHB)

GHB is a central nervous system depressant that is not approved for medical use in the United States. The FDA has issued advisories declaring GHB unsafe and illicit, except under FDA-approved, physician-supervised protocols. Although GHB has not been approved by FDA for marketing, it is currently being investigated for use in treating narcolepsy under the FDA's Orphan Drug program. GHB abuse is prevalent primarily in the youth nightclub and party subculture, where it is becoming increasingly popular. The DEA has documented more than 4,000 overdoses and law enforcement encounters with GHB, and 32 GHB-related deaths since 1990. Recently, five Michigan teenagers were hospitalized and slipped into comas after sharing a drink that was laced with GHB at a party.

GHB is rapidly metabolized by the body, making it difficult to detect in blood or urine tests. This, coupled with the general lack of knowledge about GHB within the health and law enforcement communities, means that the actual number of people who have died from GHB (either by consumption or while driving under the influence) could be much higher. Seventeen sexual assaults associated with GHB have been documented, while poison control databases list more than 600 GHB cases in 1996 and more than 900 in 1997. According to the Drug Abuse Warning Network (DAWN), GHB-related hospital emergency department episodes increased from 20 in 1992 to 629 in 1996.

GHB is not a controlled substance under federal law; however, 20 states have laws controlling the drug. Closely related to GHB is its precursor, GBL (gamma-butyrolactone), which the body converts into GHB when it is consumed. In states where GHB is a Schedule I or II controlled substance, GBL may be considered a controlled substance "analog" under state law because it is pharmacologically substantially similar (in terms of its pharmacological makeup and potential for abuse) to GHB. Products containing GBL are readily available for sale on the Internet and in gyms and health food stores. In addition, GBL is a chemical commonly used as a paint stripper as well as a base chemical for other solvents used for cleaning engines or wood. On January 21, 1999, the FDA warned consumers not to purchase or consume products that contain GBL. The FDA also asked the companies that manufacture products containing GBL, which are intended for human consumption, to voluntarily recall them. The recall was based on 55 adverse health effects, including unconsciousness, coma, respiratory depression, seizures, vomiting, and slowed heart rate. Four companies agreed to cease manufacturing and distribution of GBL, but only three agreed to recall their products. On February 25, 1999, the Centers for Disease Control publicized 41 adverse event reports associated with GBL it had recently received from three states.

Ketamine

Ketamine is predominantly used as an animal tranquilizer. It is approved only for human use for minor surgical procedures, to treat burn wounds, dental extractions, and as anesthesia for poor-risk patients with depressed vital functions. Ketamine (street name "Special K") has become a common drug at clubs and large-scale parties called "raves." It produces a range of effects from a state of dreamy intoxication to delirium accompanied by the inability to move, feel pain or remember what has occurred while under the drug's influence. The ketamine encountered to date by law enforcement authorities has been diverted from

legitimate sources, such as veterinary clinics, which are often burglarized to obtain the drug. According to the DEA, since 1993, juveniles were involved in 10 percent of all emergency room episodes involving ketamine and 25 percent of police encounters with the drug.

Costs/Committee Action:

CBO estimates that enactment of H.R. 2130 will cost less than \$500,000 in FY 2000 and about \$7 million over the FY 2001-2004 period, subject to the availability of appropriations. The bill may affect direct spending, so pay-as-you-go procedures apply; however, CBO estimates that the amounts involved would be less than \$500,000 annually.

The Commerce Committee reported H.R. 2130 by voice vote on September 27, 1999



Brendan Shields, 226-0378

FY 2000 Labor, Health & Human Services, Education, and Related Agencies Appropriations Act

H.R. ____

Committee on Appropriations
H.Rept. 106-____
To Be Submitted by Mr. Porter

Floor Situation:

The House is scheduled to consider H.R. ____ on Wednesday, October 13, 1999. Appropriations bills are privileged and may be considered any time three days after they are filed; they are debatable for one hour and are subject to one motion to recommit. The Rules Committee has not yet scheduled a time to meet on the bill. Additional information on the rule and potential amendments will be provided in a *FloorPrep* prior to consideration.

Highlights:

H.R. ____ appropriates \$89.9 billion in discretionary budget authority—\$201 million less than in FY 1999 and \$2 billion less than the president's request—for the Departments of Labor, Health and Human Services (HHS), Education, and a wide range of related agencies. Including mandatory spending (the amount over which the Appropriations Committee does not have jurisdiction) and advances, the bill provides \$317.8 billion, \$17.2 billion more than last year and \$2.7 billion less than the president's request.

Department of Labor. For the Department of Labor (DOL), the bill appropriates \$10.1 billion in discretionary budget authority for a number of employment-related programs, including unemployment insurance, worker safety, and job training. This amount is \$841 million less than the FY 1999 level and \$1.5 billion less than the president's request. Including mandatory spending and trust funds, total funding for the Labor Department is \$11.8 billion. Specific appropriations for the Labor Department include:

- * \$4.6 billion to carry out provisions of the Job Training Partnership Act, \$583.9 million less than the FY 1999 level;
- * \$337.4 million for the Occupational Safety and Health Administration (OSHA; \$17 million less than last year);
- * \$394.7 million (\$4.2 million less than last year) for the Bureau of Labor Statistics; and
- * \$1 billion for the Black Lung Disability Trust Fund.

Department of Health & Human Services. The largest amount appropriated in the bill funds programs of the Department of Health and Human Services (HHS). The bill provides about \$199 billion for HHS, nearly 85 percent of which supports mandatory entitlement programs such as Medicare, Medicaid, and family support services. The remainder of HHS funding (\$37 billion, \$454 million less than last year and

Labor, HHS, Education, and Related Agencies Appropriations, FY 2000					
Bill Title	FY 1999 Level	President's Request	FY 2000 Proposal	% Change from Last Year	% Change from Request
	(in millions)				
Department of Labor	\$12,727.3	\$13,351.8	\$11,834.4	-7.0%	-11.4%
Department of HHS	\$215,108.4	\$234,559.8	\$232,636.7	+8.1%	-0.8%
Department of Education	\$35,614.8	\$37,050.9	\$35,659.7	+0.1%	-3.8%
Related Agencies	\$37,717.6	\$37,996.5	\$37,675.2	-0.1%	-0.8%
Agriculture Disaster Emerg. Funding	\$0.0	\$0.0	\$508.0	—	—
BILL TOTALS	\$301,168.1	\$322,958.9	\$318,313.9	+5.7%	-1.4%

Source: House Appropriations Committee

\$2.1 billion less than the president's request) supports the nation's primary health and welfare discretionary initiatives. This includes:

- * \$17 billion for the National Institutes of Health (NIH), \$1.3 billion more than in FY 1999;
- * \$2.6 billion for the Centers for Disease Control and Prevention (CDC), \$98.8 million less than last year; and
- * \$4.3 billion for the Health Resources and Services Administration, \$12.4 million less than in FY 1999. This account includes \$1.5 billion for Ryan White AIDS programs.

Department of Education. Often the most contentious portion of the Labor/HHS/Education bill is funding for the Department of Education, for which the measure provides a total of \$28.7 billion for FY 2000, \$665 million less than last year and \$232 million less than the president's request. Specific appropriations include:

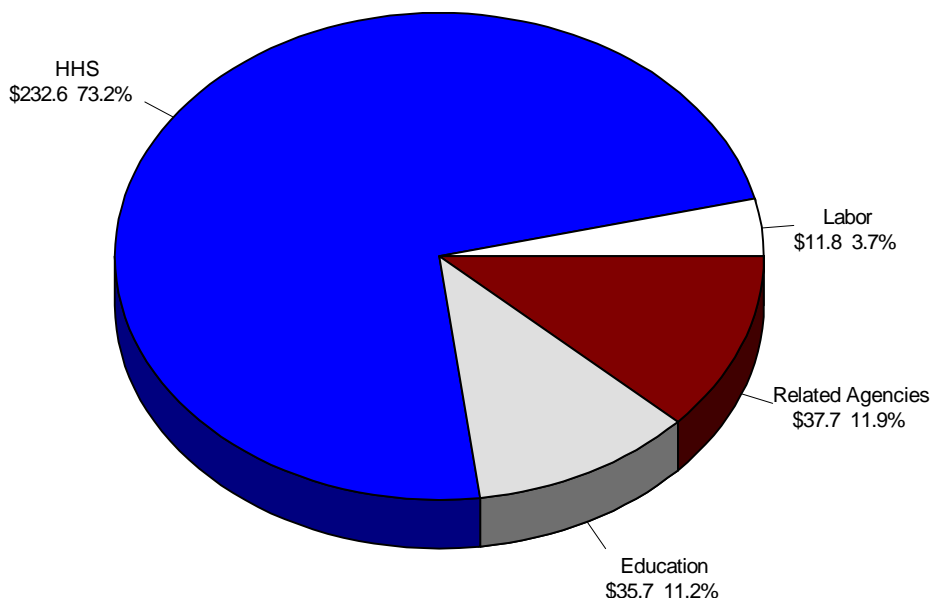
- * \$5.8 billion for special education programs (\$709 million more than last year);
- * \$7.6 billion for the Pell grant program (\$84 million less than in FY 1999);
- * \$8.4 billion for education for the disadvantaged (\$9 million less than last year);
- * \$907.2 million for Impact Aid (\$43.2 million more than in FY 1999); and
- * \$380 million for bilingual and immigrant education (the same as last year).

In addition, the measure raises the maximum Pell Grant award to \$3,275, \$150 more than in FY 1999 and \$25 more than the president's request

Related Agencies. Finally, H.R. ____ appropriates a total of \$37.7 billion for related agencies, including the Social Security Administration, the Corporation for Public Broadcasting (CPB) and the National Labor Relations Board (NLRB). This amount is \$42.5 million less than FY 1999 levels and \$321.4 million less than the president's request. Specific appropriations include:

FY 2000 Labor HHS Appropriations

(in billions of dollars)



Source: House Appropriations Committee

- * \$36.3 billion for the Social Security Administration, \$54.9 million more than last year and \$235 million less than the president's request;
- * \$340 million—equal to last year and \$10 million less than the president's request—for the Corporation for Public Broadcasting; and
- * \$165 million for the dual benefits payments account of the Railroad Retirement Board, \$13 million less than in FY 1999 and equal to the president's request.

Finally, H.R. ____ makes \$508 million—designated as emergency spending—from the Commodity Credit Corporation available to farmers who incurred losses in crop production or livestock as a result of hurricanes that struck the east coast of the U.S. between August and September 1999.

Sticking Points

Several issues are likely to become the subject of floor debate during consideration, including the following:

- * **Overall Funding Levels.** The Labor/HHS/Education measure is the largest of the 13 appropriations bills and invariably the most controversial. In recent years, the 1997 discretionary budget caps—agreed to by both Congress and President Clinton—have weighed heavily on the measure. While the bill includes healthy increases for the National Institutes of Health (eight percent over last year) and programs to provide education for the dis-

abled, funding for training and jobs programs, as well as many of the president's cherished education initiatives (such as Goals 2000 and the summer jobs program) receive budget decreases. The measure cuts job training programs by 13 percent, for example. Critics characterize such spending reductions as draconian and charge that many of the programs receiving deep cuts are essential for preserving a responsible social safety net and ensuring that the American workforce will be competitive in the 21st century economy. However, supporters of the bill counter that such reductions are fiscally responsible—and fall within spending limits established by the 1997 Balanced Budget Act. Supporters have repeatedly encouraged the president to help locate offsets to pay for his new priorities, instead of relying on a will-o'-the-wisp chase for new taxes that have been repeatedly rejected by Congress.

- * **Abortion and Family Planning.** The bill prohibits the use of family planning funds to pay for abortions and requires that all pregnancy counseling be non-directive (*i.e.*, not recommending one option over another). In addition, H.R. ____ requires clinics receiving Title X family planning funds to notify parents before providing contraceptives to minors. Requiring parental involvement, proponents believe, should increase abstinence among youth and compel parents to share their moral beliefs with their children. Opponents of the provision believe that the subject is too complex to be dealt with in an appropriations bill, and that confidential access to clinics is critical to the success of the program. Finally, some members feel such a controversial provision may provoke a veto.

Another measure included in the bill, which is opposed by some pro-choice members, prohibits any human embryo research funded by the federal government, regardless of whether the embryo was specifically created for the research or not. Proponents of embryo research point to a number of medical advances to which it is vital and argue that with this prohibition, future advances may be lost. Opponents of embryo research argue that it callously experiments with human life and an attack on decency, not to mention that it promotes the creation of a market of fertilized embryos.

Finally, each year the bill provokes controversy over federal funding of abortions through the Medicaid program. This year, the bill maintains provisions included in previous years to prohibit the use of federal Medicaid funds for abortions except when the life of the mother is endangered or when the pregnancy is a result of rape or incest (referred to as “modified Hyde” language). Opponents believe such an amendment could restrict abortion services that are not federally subsidized. Supporters contend, however, that taxpayers should not be forced to pay for an act they find morally indefensible.

- * **Earned Income Tax Credit (EITC).** The EITC is a subsidy designed to assuage the tax burden on the working poor. The tax credit is paid in one lump sum by the Internal Revenue Service (IRS) at the end of the calendar year. Last year, nearly 20 million families received an average of \$1,797. The measure proposes paying out the sum on a monthly basis, which will push some of the payments into the next fiscal year and save the government an estimated \$8.7 billion in FY 2000. Supporters of this provision argue that it simply is a benign accounting method, one that does not result in a tax increase. Moreover, they note that EITC recipients do not pay income taxes; so, how could such a measure constitute a tax increase? Opponents counter that the EITC is largely designed to offset not income taxes but Social Security payroll taxes, of which the working poor

Department of Labor Appropriations, FY 2000					
Appropriation Account	FY 1999 Level	President's Request	FY 2000 Proposal	% Change from Last Year	% Change from Request
	(in millions)	(in millions)	(in millions)		
Employment & Training Admin.					
Training & Employment Services	\$5,280.9	\$5,474.8	\$4,572.1	-13.4%	-16.5%
Community Service Employment for Older Americans	\$440.2	\$440.2	\$440.2	0.0%	0.0%
Federal Unemployment Benefits and Allowances	\$360.7	\$314.4	\$314.4	-12.8%	0.0%
State Unemployment Services *	\$3,262.6	\$3,506.8	\$3,141.7	-3.7%	-10.4%
Adv. To Unemployment Trust Funds	\$357.0	\$356.0	\$356.0	-0.3%	0.0%
Welfare-to-Work Recission	-\$137.0	\$0.0	\$0.0	-100.0%	0.0%
Program Administration *	\$144.7	\$141.1	\$138.1	-4.5%	-2.1%
Subtotal, ETA *	\$9,709.2	\$10,233.2	\$8,962.5	-7.7%	-12.4%
Employment Standards Admin. (ESA)					
Salaries and Expenses *	\$315.1	\$376.5	\$314.0	-0.4%	-16.6%
Special Benefits	\$179.0	\$79.0	\$79.0	-55.9%	0.0%
Black Lung Trust Fund	\$1,021.0	\$1,014.0	\$1,013.3	-0.8%	-0.1%
Subtotal, ESA *	\$1,515.1	\$1,469.5	\$1,406.3	-7.2%	-4.3%
Pension & Welfare Benefits Admin.	\$90.6	\$101.8	\$90.0	-0.6%	-11.6%
PBGC Administrative Limitation	\$11.0	\$11.4	\$11.0	0.0%	-3.5%
Occupational Safety & Hlth. Admin.	\$354.4	\$388.1	\$337.4	-4.8%	-13.1%
Mine Safety & Health Admin.	\$215.9	\$228.4	\$211.2	-2.2%	-7.5%
Bureau of Labor Statistics *	\$398.9	\$420.9	\$394.7	-1.0%	-6.2%
Departmental Management *	\$432.3	\$498.4	\$421.4	-2.5%	-15.5%
TOTALS	\$12,727.3	\$13,351.8	\$11,834.4	-7.0%	-11.4%

Source: House Appropriations Committee

* All or some of funds provided from trust funds

pay a disproportionate share. They also note that beneficiaries of the tax credit often use the lump sum to pay for large expenses such as repairing a car or retiring debt; thus they will be forced to carry more debt throughout the year and, consequently, pay more interest.

Provisions:

Title I — Department of Labor

For the Department of Labor (DOL), the bill appropriates \$10.1 billion in discretionary budget authority for a number of employment-related programs, including unemployment insurance, worker safety, and job training. This amount is \$841 million less than the FY 1999 level and \$1.5 billion less than the president's request. Including mandatory spending and trust funds, total funding for the Labor Department is \$11.8 billion. Specific appropriations for the Labor Department include:

Employment and Training Administration (ETA)

The bill appropriates \$9 billion to the ETA, which provides employment services, job training, and unemployment insurance, an amount \$746.6 million less than last year and \$1.3 billion less than the president's request. Funding is allocated across five major components that cover employment security, job training, planning and policy development, financial and administrative management, and regional management.

Training and Employment Services. The bill appropriates \$4.6 billion, \$709 million less than last year and \$902.7 million less than the president's request, for programs to enhance the employment and earnings of economically disadvantaged and displaced workers through a decentralized system of skills training and related services. The ETA is made up of programs mainly authorized by the Job Training Partnership Act (JTPA) and consists of two types of initiatives: grants to states and federally administered programs.

Grants to states:

- * **Adult Training.** The bill provides \$859.5 million (which includes \$644 million in FY 2001 appropriations), \$95.5 million less than both FY 1999 and the president's request, to carry out the programs of Title II-A of the JTPA. The funding will help states assist an estimated 386,000 adults to increase their work skills and employability. This program is designed to prepare adults for participation in the labor force by increasing their occupational and educational skills, resulting in improved long-term employability, increased employment and earnings, and reduced welfare dependency.
- * **Youth Training.** The bill appropriates a total of \$900.9 million, \$100.1 million less than both last year and the president's request, to assist states in their efforts to increase the long-term employability of 163,000 youths. The measure consolidates the summer youth program and youth training grants into a single account. The youth training program is intended to improve the long-term employability of youths, enhance their educational, occupational, and citizenship skills, and encourage their completion of school.
- * **Dislocated Worker Assistance.** The bill provides \$1.3 billion (which includes \$945.3 million in FY 2001 funding), \$140.1 million less than FY 1999 and \$355.1 million less than the president's request, for Title III activities that identify and service workers who lose their job. Program participants, of which there are roughly 654,000, are enrolled in federally run job assistance programs. Funds are allocated to the states by statutory formula; 20 percent is kept by the secretary for discretionary purposes.

Federally administered programs:

- * **Job Corps.** The bill provides \$1.4 billion (which includes \$1 billion in FY 2001 funding) for the Job Corps, which assists at-risk youth with job training and placement. This amount (\$49.8 million more than last year and \$11.8 million more than the president's request) is made up of two separate accounts: operations and construction, and renovation. The Job Corps trains approximately 69,700 participants at 118 centers and assists in job placement.
- * **School-to-Work.** The bill provides no funding for this account, which was funded at \$125 million last year; the president requested \$55 million to phase out the program. The school-to-work program is designed to provide a national framework within which all states can create statewide systems to help youth acquire the knowledge, skills, abilities, and information they need to get jobs after school. The program is administered jointly between the Departments of Labor and Education.
- * **Native Americans.** The bill provides \$53.8 million—equal to the FY 1999 level and the president's request—for programs designed to improve the economic well being of disad-

vantaged Native Americans through vocational training, work experience, and other services aimed at getting participants—of which there are about 19,000—into permanent, unsubsidized jobs.

- * **Migrant and Seasonal Farmworkers.** The bill provides \$71 million, the same as last year and the president's request, for this program, which is intended to alleviate chronic unemployment and underemployment experienced by farmworker families. Approximately 38,000 participants receive training and employability development services to prepare farmworkers for stable, year-round employment inside and outside the agricultural industry. Services include health care, day care, and housing assistance. At least 94 percent of each year's appropriation is allocated to states according to a population-based formula.
- * **Veteran's Employment.** H.R. ____ provides \$7.3 million for this account, equal to both last year's level and the president's request. These funds provide special employment and training programs to meet the needs of disabled, Vietnam-era, and recently separated veterans.
- * **National Programs.** The bill provides an additional \$60.1 million for a number of smaller programs, including funding for the National Occupational Information Coordinating Committee and the National Skills Standards Advisory Board. This account includes \$1 million for the Women in Apprenticeship program, for which the president requested no funding.

Community Service Employment for Older Americans. The bill appropriates \$440.2 million—the same as the president's request and last year—for this civic service program, which provides part-time employment in community service activities for approximately 61,500 unemployed, low-income persons aged 55 and over. The account is forward-funded from July to June, and the FY 2000 appropriation will support the effort from July 1, 2000 through June 30, 2001. The committee expressed concern that the program has yet to be authorized.

Federal Unemployment Benefits and Allowances. H.R. ____ provides \$314.4 million, \$46.3 million less than in FY 1999 and equal to the president's request. The funding supports four separate benefit and transitional entitlement programs that provide temporary support and education to an estimated 74,600 workers affected by imports. Of this, the bill provides \$8 million for North American Free Trade Agreement (NAFTA) transitional adjustment assistance benefits.

State Unemployment Insurance and Employment Services Operations. This account provides a total of \$3.1 billion, of which \$3 billion is drawn from the Unemployment Trust Fund and \$123.5 million from the general Treasury fund, for administrative grants and assistance to state agencies that administer state and federal unemployment compensation laws and operate public employment services. This funding is \$120.9 million less than FY 1999 and \$365 million less than the president's request. The program is divided into several accounts, which are detailed below.

- * **Unemployment Insurance Services.** The measure provides \$2.2 billion, \$74.4 million less than in FY 1999 and \$239.3 million less than the president's request, in trust fund disbursements to pay for state and national compensation activities and benefits to the unemployed. The bill does not provide the president's request for an additional \$71

million for state integrity activities. The committee notes department estimates that states already spend about \$360 million for these activities in the current fiscal year.

- * **Employment Services.** The bill provides \$821.6 million, the same as both last year's level but \$26.7 president's request, for employment services, including \$761.7 million for state grants. The program provides applicants with job search assistance, counseling, and training. The measure does not provide funding for the proposed new AgNet for the agriculture industry.
- * **One-Stop Career Center.** The bill provides \$100 million, \$46.5 million less than FY 1999 and \$49 million less than the president's request, for states to establish integrated labor market and training services for the unemployed and employers. The committee did not approve a \$10 million request for a new initiative to promote the use of technology in lifelong learning. This request was linked to a similar request in the Education Department, which the committee rejected because it lacked authorization.

Advances to the Unemployment Trust Fund and Other Funds. The bill provides \$356 million, \$1 million less than in FY 1999 but equal to the president's request, for this account. The appropriation is used to make advances to various unemployment compensation programs and the Black Lung Disability Trust Fund when those programs see shortfalls in their accounts.

Program Administration. The bill provides \$138.1 million, \$2.9 million less than in FY 1999 and \$6.6 million less than the president's request, in total budgetary resources to provide the necessary federal staff needed to administer various labor-related laws, including JTPA and the Older Americans Act. The committee notes that last year's appropriation accounted for Y2K activities and other one-time expenses.

Pension and Welfare Benefits Administration (PWBA)

Pension Benefit Guaranty Corporation (PBGC). The bill provides \$963.4 million in benefit payments and \$94.3 million for multi-employer financial assistance for this wholly-owned government corporation. As in past years, over 90 percent of the administrative expenses of the corporation are exempt from limitation.

Salaries and Expenses. H.R. ____ provides \$90 million for this account, equal to FY 1999 but \$11.8 million less than the president's request, for the expenses of the Pension and Welfare Benefits Administration (PWBA). The PWBA is responsible for enforcing Title I of the 1974 Employee Retirement Income Security Act (ERISA) in both civil and criminal areas, and enforces portions of the 1986 Federal Employees' Retirement Security Act as well as fiduciary and reporting/disclosure requirements of federal pension law.

Employment Standards Administration (ESA)

The ESA administers and directs employment standards programs dealing with the federal minimum-wage, overtime, registration of farm labor contractors, prevailing wage rates, non-discrimination and affirmative action, and workers compensation.

Salaries and Expenses. The bill provides \$314 million for salaries and expenses of ESA staff, equal to FY 1999 (accounting for one-time Y2K expenses) and \$62.5 million less than the president's request.

The amount includes \$2 million to continue funding for the ESA to develop an electronic filing process for reports that unions are required to file under the Labor-Management Reporting and Disclosure Act, as well as to create a database available to the public via the Internet.

Special Benefits. The bill provides \$79 million, \$100 million less than in FY 1999 and the same as the president's request, for the required benefit payments under the Federal Employees Compensation Act (FECA). This fund also receives payments from federal agencies, as well as significant funds carried over from previous years, for total resources of approximately \$2 billion, roughly \$115 million more than last year.

Black Lung Disability Trust Fund. The bill provides \$1 billion in mandatory spending—\$7.7 million less than last year and \$734,000 less than the president's request—for this trust fund, which pays all black lung compensation, as well as medical and survivor benefit expenses, when no responsible mine operation can be determined or the mine employee ceased working before 1970. It is estimated that 63,200 people will receive black lung benefits in FY 2000, compared to roughly 67,000 last year.

Departmental Management

H.R. provides \$421.4 million in total budgetary resources for management expenses of the Department of Labor, \$11 million less than last year and \$77.1 million less than the president's request. Specific sub-account appropriations include:

- * \$191.1 million for salaries and expenses (equal to FY 1999 after accounting for one-time Y2K expenses and \$66.5 million less than the president's request);
- * \$182.7 million in trust funds for state operated veterans' employment and training (equal to last year but \$2.9 million less than the president's request); and
- * \$47.5 million for the office of the Inspector General (equal to the FY 1999 level after accounting for one-time expenses and \$7.7 million less than the president's request).

Other Agencies

Occupational Safety and Health Administration (OSHA). The bill provides \$337.4 million, \$17 million less than in FY 1999 and \$50.4 million less than the president's request, to cover the salaries and expenses of OSHA. The agency was created in 1970 to develop and promulgate occupational safety and health standards, issue regulations, conduct investigations and inspections, and impose penalties on employers who violate those standards. The bill reduces federal enforcement funding by eight percent but increases funding for compliance assistance by two percent. The measure directs OSHA's directorate for federal/state operations to utilize \$2 million from compliance assistance funds to implement a two-year pilot project to partner with employers in developing safety and health programs.

The bill also includes language, traditionally included in past appropriations bills, that (1) exempts farms with fewer than 10 employees and that do not have temporary labor camps from OSHA requirements (similar language has been included in appropriations legislation since 1976), and (2) exempts businesses that employ fewer than 10 employees and have a work-day injury rate less than the national average from general schedule OSHA safety inspections (similar language has been included since 1979).

Mine Safety and Health Administration. The bill provides \$211.2 million—equal to FY 1999 after accounting for Y2K expenses but \$17.2 million less than the president’s request—for the salaries and expenses of this agency. The Mine Safety and Health Administration develops and promulgates mandatory safety and health standards, assesses civil penalties for violations, and investigates accidents in the mining industry.

Bureau of Labor Statistics (BLS). The bill provides \$394.7 million in total budget resources, equal to last year and \$26.2 million less than the president’s request, for salaries and expenses of the BLS. The bill fully funds the president’s request of \$7 million for the ongoing BLS revision of the Consumer Price Index.

Title II — Department of Health and Human Services

Health Resources and Services Administration (HRSA)

H.R. ____ provides \$4.2 billion—\$87.6 million more than in FY 1999 and \$63.3 million more than the president’s request—for HRSA, which supports programs providing health services to medically underserved populations and disadvantaged minorities, including mothers and infants, migrant farm workers, the homeless, rural residents, and HIV-infected individuals. HRSA also supports programs to improve the education, supply, and distribution of a wide range of health professionals, including nurses, family practitioners, physician assistants, and public health specialists.

Community Health Centers. The bill provides \$985 million, \$60.3 million more than in FY 1999 and \$40 million more than the president’s request, for a number of health center activities. These centers provide immediate access to high quality, cost-effective, and culturally sensitive preventative and primary health care services to over 10 million individuals in 3,500 underserved communities. As in previous years, the bill limits the amount of funds available for the payment of claims under the Federal Tort Claims Act to \$5 million.

National Health Service Corps (NHSC). The bill provides \$116.4 million for NHSC placement and recruitment activities. Specifically, the measure allocates (1) \$38.2 million for NHSC placement activities, \$1 million more than last year’s level and \$1.2 more than the president’s request; and (2) \$78.2 million for NHSC recruitment activities, \$25,000 more than in FY 1999 and equal to the president’s request. The NHSC awards scholarships and provides loan repayment assistance to medical students, who in repayment pledge a few years of service to areas in need of medical personnel, usually inner cities and rural areas.

Health Professions. The bill provides \$302 million for health profession training programs, \$70,000 more than in FY 1999 and \$50.3 million more than the president’s request. The Bureau of Health Professions provides both policy leadership and support for health professions workforce enhancement and educational infrastructure development.

Maternal and Child Health Block Grant. The bill provides \$800 million for a broad range of pregnancy health programs. The appropriation is \$105.2 million more than in FY 1999 and \$105 million more than the president’s request. As required by law, 85 percent of the first \$600 million and nearly 75 percent of funds over \$600 million are distributed to the states; the remaining funds are set aside for special projects and set-aside programs administered by the federal government for specific communities, re-

Department of Health and Human Services Appropriations, FY 2000

Appropriation Account	FY 1999 Level	President's Request	FY 2000 Proposal	% Change from Last Year	% Change from Request
	(in millions)		(in millions)		
Public Health Service (PHS)					
Health Resources & Services Admin.	\$4,284.4	\$4,208.8	\$4,272.1	-0.3%	+1.5%
Disease Control	\$2,771.3	\$2,855.4	\$2,672.5	-3.6%	-6.4%
National Institutes of Health	\$15,653.5	\$15,892.8	\$16,895.3	+7.9%	+6.3%
Substance Abuse and Mental Health Services Admin.	\$2,487.3	\$2,726.5	\$2,413.7	-3.0%	-11.5%
Agency for Health Care Policy and Research *	\$102.2	\$26.7	\$104.4	+2.2%	+291.5%
Subtotal, PHS	\$25,298.7	\$25,710.2	\$26,358.0	+4.2%	+2.5%
State Medicaid Grants	\$74,720.5	\$86,087.4	\$86,087.4	+15.2%	0.0%
Advance Appropriation FY 2001	\$28,733.6	\$30,589.0	\$30,589.0	+6.5%	0.0%
Payments to Health Care Trust Funds	\$62,823.0	\$69,289.1	\$69,289.1	+10.3%	0.0%
Program Management	\$2,142.8	\$2,016.1	\$1,752.1	-18.2%	-13.1%
Subtotal, HCFA	\$168,420.0	\$187,981.6	\$187,717.5	+11.5%	-0.1%
Family Support Payments	\$2,462.8	\$39.0	\$39.0	-98.4%	0.0%
Advance 1st quarter, FY 2001	\$750.0	\$650.0	\$650.0	-13.3%	0.0%
LIHEAP	\$300.0	\$300.0	\$300.0	0.0%	0.0%
Advance Appropriation FY 2001	\$1,100.0	\$1,100.0	\$1,100.0	0.0%	0.0%
Refugee and Entrant Assistance	\$514.9	\$430.5	\$423.5	-17.7%	-1.6%
Child Care & Development Grant Advance Appropriation FY 2001	\$1,182.7	\$1,182.7	\$0.0	-100.0%	-100.0%
Social Services Block Grant	\$1,909.0	\$2,380.0	\$1,909.0	0.0%	-19.8%
Children & Family Service Programs	\$6,054.2	\$6,588.0	\$6,135.2	+1.3%	-6.9%
Violent Crime Reduction	\$105.0	\$118.5	\$105.0	+0.0%	-11.4%
Rescission of Permanent Approps.	-\$21.0	\$0.0	-\$21.0	0.0%	—
Family Support and Preservation	\$275.0	\$295.0	\$295.0	+7.3%	0.0%
Foster Care and Adoption State Payment	\$3,764.0	\$4,312.3	\$4,307.3	+14.4%	-0.1%
Advance 1st quarter, FY 2001	\$1,355.0	\$1,538.0	\$1,538.0	+13.5%	0.0%
Subtotal, ACF	\$19,751.5	\$18,933.9	\$16,781.0	-15.0%	-11.4%
Administration on Aging	\$882.3	\$1,048.1	\$882.0	-0.0%	-15.8%
Office of the Secretary	\$755.9	\$886.0	\$898.2	+18.8%	+1.4%
TOTALS	\$215,108.4	\$234,559.8	\$232,636.7	+8.1%	-0.8%

Source: House Appropriations Committee

* All or some of funds provided from trust fund

gions, or the nation as a whole. The committee estimates that the program will serve as many as 17 million women, infants, children, and adolescents. Of this amount, \$5 million must be used to provide continued services to individuals who have suffered a traumatic brain injury.

* **Healthy Start.** The measure provides \$90 million—\$15 million less than both last year and the president's request—for a program than began as a five-year demonstration program (first funded in 1992) to reduce infant mortality in 22 urban and rural communities. The program was never authorized as a separate program, and now is included under the maternal and child health block grant.

Rural Outreach Programs. The bill allocates \$38.9 million, \$12,000 more than the FY 1999 level (the president requested to transfer \$7.5 million to create an office for the advancement of telehealth), to support projects that provide health services to under-served rural populations.

Other HRSA Programs. H.R. ____ provides \$926.2 million for a wide variety of health service programs, \$3.2 million less than last year and \$5.6 million less than the president's request. This amount includes (1) \$50.6 million for advanced education nursing; (2) \$30 million for area health education centers; and (3) \$18 million for bone marrow programs.

Ryan White AIDS Programs

H.R. ____ appropriates \$1.5 billion for AIDS prevention and educational programs, \$108 million more than in FY 1999 and \$8.5 million more than the president's request. The increase reflects funding for new methods to treat people with HIV that postpone the failure of the immune system. The Ryan White AIDS account is made up of six separate appropriation programs funded as follows:

- * **Emergency Assistance.** The bill provides \$525 million, \$20 million more than FY 1999 and \$3.8 million more than the president's request, for programs that provide grants to cities with greater-than-average numbers of AIDS cases to promote outpatient and ambulatory health services for people with AIDS;
- * **Comprehensive Care Programs.** The measure allocates \$785 million, \$47.2 million more than in FY 1999 and \$2 million more than the president's request, for grants to states for the operation of groups assisting with care, health care insurance coverage, and therapeutic drug expenses of individuals with AIDS;
- * **Early Intervention Programs.** The bill provides \$132 million, \$37.7 million more than in FY 1999 and \$1.7 million more than the president's request, for grants to health centers which serve high populations with a high risk of contracting AIDS to assist the centers with testing, risk reduction counseling, transmission prevention, and a host of other activities intended to reduce the spread of AIDS;
- * **Pediatric Demonstrations.** H.R. ____ provides \$49 million, \$3 million more than in FY 1999 and \$1 million more than the president's request, for grants that foster collaboration between research institutions and primary care outlets to increase access to comprehensive care and increase participation in National Institutes of Health (NIH) research programs;
- * **AIDS Dental Services.** The measure provides \$8 million, \$202,000 more than in FY 1999 and equal to the president's request, for grants to dental schools to assist with the cost of unreimbursed dental services on individuals with AIDS; and
- * **Education and Training Centers.** The bill provides \$20 million, \$6,000 more than in FY 1999 and equal to the president's request, for centers to train individuals who care for AIDS patients.

Family Planning

H.R. ____ provides \$215 million, \$68,000 more than the FY 1999 level and \$25 million less than the president's request, for family planning assistance. The program provides grants to more than 4,800 clinics—over 60 percent of which are government run—to support the provision of a wide-range of family

planning services, reproductive services, and health screening. The bill clarifies that family planning funds may not be used to perform abortions, or for lobbying and campaign activities.

Program Management

The measure provides \$115.5 million—\$3.5 million less than the FY 1999 level and \$6.2 billion less than the president's request—for federal staff and administrative costs associated with the Health Resources and Services Administration.

Health Education Assistance Loans (HEAL)

The measure appropriates a total of \$31.5 million to liquidate defaulted loans of students who enter health professions—\$5.5 million more than last year and equal to the president's request. The bill provides \$3.7 million for HEAL program management, \$1,000 more than the FY 1999 level and equal to the president's request.

Vaccine Injury Compensation Program Trust Fund

The bill fully funds the president's request of \$63 million—the same as both last year and the president's request, in mandatory funding for a program to compensate individuals with vaccine-associated injuries or deaths. The trust fund also provides \$3 million to operate the program. Funds for claims from vaccines administered after October 1, 1998, are generated by a per-dose excise tax on the sale of selected prescribed vaccines.

Centers for Disease Control (CDC)

H.R. ____ provides \$2.7 billion—\$98.8 million less than in FY 1999 and \$183 million less than the president's request—for disease control activities of the federal government (as well as crime bill activities). The CDC assists state and local health authorities in controlling the spread of infectious diseases, reducing chronic diseases, and a number of other disease programs. CDC funding includes:

- * \$152.2 million (\$2.2 million more than in FY 1999 and \$32.2 million more than the president's request) for preventive health service block grants, preventative funding for tuberculosis and sexually transmitted diseases, and prevention center research;
- * \$657 million for federal AIDS programs, including research and community prevention programs (\$36,000 more than last year and \$44.4 million less than the president's request);
- * \$421.5 million for childhood immunization programs and \$20 million from the public health and social service emergency fund for polio eradication (\$8 million less than in FY 1999 and \$84.5 million less than the president's request)—in addition, \$545 million (\$21.2 million less than last year) from the Medicaid account is expected to go toward child immunizations;
- * \$320.5 million (\$21.1 million more than in FY 1999 and \$5.4 million less than the president's request) for chronic and environmental disease prevention programs;

- * \$200 million (equal to FY 1999 and \$11.8 million less than the president's request) for the National Institute for Occupational Safety and Health to prevent work-related diseases and injuries;
- * \$161 million (\$2 million more than both last year and the president's request) for breast and cervical cancer screening;
- * \$165.6 million (\$30 million more than in FY 1999—which includes \$20 million from the public health and services emergency fund—and \$16.3 million less than the president's request) for infectious disease control;
- * \$129.1 million (\$5.4 million more than last year and \$1.6 million less than the president's request) for grants to states and local health departments to support public health activities to prevent and treat sexually transmitted diseases (STDs);
- * \$122 million (\$2 million more than both last year and the president's request) for grants to states and large cities for a broad range of tuberculosis control efforts;
- * \$94.6 million (\$9,000 more than the FY 1999 level and \$15 million less than the president's request) for the National Center for Health Statistics;
- * \$85.9 million (equal to last year and \$868,000 more than the president's request) for epidemic disease services, including surveillance system maintenance, staff training, and quarantine maintenance;
- * \$57.6 million (equal to FY 1999 and \$12.9 million less than the president's request) for risk identification outside of the workplace, including car crashes, fires and burns, domestic violence, possible traumatic brain injuries. Similar to last year, the bill prohibits the National Center for Injury Prevention and Control from engaging in any activities to advocate or promote gun control;
- * \$51 million (\$16,000 more than the FY 1999 level and the same as the president's request) for crime bill activities; and
- * \$38.2 million (\$43,000 more than both FY 1999 and the president's request) for lead poisoning prevention.

Finally, the bill provides (1) \$31.1 million for the Office of the CDC Director; (2) \$40 million for buildings and facilities; (3) \$15 million for a new prevention research program; and (4) \$10 million for the health disparities demonstration program.

National Institutes of Health (NIH)

H.R. ____ provides a total of \$16.9 billion—\$1.3 billion more than in FY 1999 and \$1 billion more than the president's request—for the 24 appropriation accounts that fund NIH, the nation's primary biomedical research institution. These accounts include funding for 18 research institutes, the Office of the Director, and a number of related programs. NIH supports 30,000 research project grants at 1,700 research institutions across the country. The bill does not provide specific earmarks for the Office of AIDS Re-

search as had been requested by the president; instead, the bill leaves the decision on the amount of funding necessary to support AIDS research up to NIH itself. The bill provides increases over FY 1999 levels and the president's request for each account. Major NIH appropriations include:

- * \$3.2 billion (\$261.4 million more than in FY 1999 and \$190.8 million more than the president's request) for the National Cancer Institute;
- * \$1.9 billion (\$154.8 million more than last year and \$111.6 million more than the president's request) for the National Heart, Lung, and Blood Institute;
- * \$1.7 billion (\$138.6 million more than in FY 1999 and \$100.3 million more than the president's request) for the National Institute of Allergy and Infectious Disease;
- * \$1.3 billion (\$101 million more than the FY 1999 level and \$71.9 million more than the president's request) for the National Institute of General Medical Sciences;
- * \$1.1 billion (\$90.6 million more than last year and \$66.4 million more than the president's request) for the National Institute of Diabetes and Digestive and Kidney Disease;
- * \$930.4 million (\$75.2 million more than FY 1999 and \$54.4 million more than the president's request) for the National Institute of Mental Health;
- * \$979.3 million (\$80.2 million more than in FY 1999 and \$58.3 million more than the president's request) for the National Institute of Neurological Disorders and Strokes;
- * \$817.5 million (\$64.1 million more than last year's level and \$45.8 million more than the president's request) for the National Institute of Child Health & Human Development;
- * \$656.6 million (\$48.6 million more than last year's level and \$33.8 million more than the president's request) for the National Institute on Drug Abuse; and
- * \$651.7 million (\$51.5 million more than last year's level and \$36.9 million more than the president's request) for the National Institute on Aging.

Substance Abuse and Mental Health Services Administration (SAMHSA)

H.R. ____ appropriates \$2.4 billion, \$73.6 million more than in FY 1999 and \$212.8 million more than the president's request, for substance abuse and mental health care programs. SAMHSA is responsible for supporting mental health and substance abuse prevention and treatment programs. Specifically, the bill provides:

- * \$519.8 million (\$7.5 million more than the FY 1999 level and \$68.9 million less than the president's request) for mental health programs including the mental health block grant and children's mental health services;
- * \$1.7 billion (\$33.7 million less than last year and \$120.3 million less than the president's request) for substance abuse treatment programs;

- * \$118.9 million (\$44.2 million less than in FY 1999 and \$19.1 million less than the president's request) for substance abuse prevention programs; and
- * \$53.4 million (\$3.2 million less than last year and \$4.5 million less than the president's request) to coordinate, direct, and manage the agency's programs.

Agency for Health Care Policy and Research

The bill provides a total of \$175.1 million in total budgetary resources to collect and disseminate national health care statistics intended to improve the delivery of health care. This funding level is \$4 million more than last year and \$31.2 million less than the president's request.

Health Care Financing Administration (HCFA)

H.R. ____ provides a total of \$187.7 billion for HCFA in grants to states for Medicaid and payments to health care trust funds. (This amount includes \$30.6 billion funded in advance for FY 2001.) This funding level is \$19.3 billion more than in FY 1999 and \$264.1 million less than the president's request. Established in 1977, HCFA is responsible for overseeing the Medicare and Medicaid programs. Funded through Social Security contributions, premiums, and general revenue, Medicare is a federal health insurance program for eligible elderly and disabled persons. Medicaid is a federal-state health insurance program covering inpatient and outpatient care for the poor and subsidizing long-term care for indigent elderly persons.

Grants to States for Medicaid. The measure allocates \$86.1 billion—\$11.4 billion more than last year and equal to the president's request—for the federal government's share of the expenditures related to providing health care for low-income individuals. (This amount does not include \$28.7 billion that was funded in advance for FY 1999.) In addition, the bill provides an advance appropriation of \$30.6 billion for program costs in the first quarter of FY 2001. Federal Medicaid grants reimburse states for 50 to 90 percent (depending on per capita income) of their costs of providing health care to individuals with incomes below specified levels. An estimated 33.8 million individuals will be served by the Medicaid program in FY 2000.

Payments to Health Care Trust Fund. The bill provides \$69.3 billion—\$6.5 billion more than in FY 1999 and the same as the president's request—for mandatory payments to the health care trust fund. This appropriation includes (1) the general fund subsidy to the Medicare Part B trust fund, and (2) other reimbursements to the Medicare Part A trust fund for benefits and administrative costs not financed by payroll taxes or premium contributions.

Program Management. The bill provides \$1.8 billion from the health care trust fund—\$390.8 million less than in FY 1999 and \$264.1 million less than the president's request—for the administration expenses of HCFA. The program administration account is funded through a number of trust fund allocations and pays for research, demonstration and evaluation, Medicare contractor payments, and other administrative items.

Administration for Children and Families

Family Support Payments to States. H.R. ____ provides \$650 million in advance funding (the same as the president's request) for the first quarter of FY 2001 to ensure timely payments for the program. The

bill does not provide funding for FY 2000 because, the committee notes, the account has sufficient unobligated balances to maintain the program.

Low Income Home Energy Assistance Program (LIHEAP). The measure provides \$1.1 billion in an advance appropriation for FY 2001 for the low-income home energy assistance program. In addition, the bill provides \$300 million (as requested by the president) for LIHEAP for FY 2000, which is designated as emergency spending. Also designated as emergency funding—and thus not subject to discretionary spending caps—is the \$1.1 billion previously appropriated for FY 2000. LIHEAP was established during the energy crisis in the 1970s and provides block grants to states for heating and cooling energy assistance to low-income families and individuals. States may determine their own payment levels and types of payments, including cash payments to vendors on behalf of eligible households.

Refugee and Entrant Assistance. The bill provides \$423.5 million in budgetary resources, \$8.6 million more than the FY 1999 level and \$7 million less than the president's request, for refugee assistance programs. This account provides welfare and health assistance benefits for new arrivals that may not meet typical eligibility requirements and other services intended to speed assimilation of refugees and entrants.

Child Care and Development Block Grant. The measure allocates no funding for FY 200 for child care funding for low income families. The committee notes that \$1.2 billion was appropriated for FY 2000 in last year's omnibus spending package (*P.L. 105-277*). The Child Care and Development Block Grant program was enacted in the 1990 Omnibus Budget Reconciliation Act (*P.L. 101-508*) to increase the availability, affordability, and quality of child care services for low-income families through grants to states. By statute, 75 percent of the funds must be used for child care services (with no more than 10 percent of each grant being used for administrative purposes), 19 percent must be used for early childhood development and before- and after-school services, four percent to improve child care services, and the remaining funds used for any of the above.

Social Services Block Grants (Title XX). The bill provides \$1.9 billion—equal to last year's level and \$471 million less than the president's request—to provide grants to encourage states to furnish a variety of social services to needy individuals. By providing grants to states, the program is designed to (1) prevent, reduce, or eliminate dependency; (2) help individuals achieve or maintain self-sufficiency; (3) prevent neglect, abuse, or exploitation of children and adults; (4) prevent or reduce inappropriate institutional care; and (5) help individuals secure admission or referral for institutional care when other treatment is not appropriate.

Children and Families Services Programs. H.R. ____ provides \$6.2 billion, \$81 million more than in FY 1999 and \$487.2 million less than the president's request, for a number of programs aimed at enhancing the well being of the nation's children and families, particularly those who are disadvantaged or troubled. Major appropriations include:

- * \$4.8 billion (\$101.5 million more than in FY 1999 and \$507 million less than the president's request) for Head Start. Head Start provides grants to organizations that provide comprehensive development services to children of low-income families;
- * \$291.9 million (equal to last year's level and \$89,000 less than the president's request) for grants to state child welfare service agencies to improve their programs;

- * \$568.6 million (\$5.2 million more than last year and \$48.6 million more than the president's request) for Community Service Block grants. The grants provide employment, education, housing, nutrition, energy, and emergency and health services to needy families and individuals; and
- * \$510 million (\$10.2 million more than FY 1999 and \$10 million more than the president's request) for state block grants.

In addition to the above programs, the bill provides funding for programs to assist runaways, victims of child abuse and family violence, and pregnant teens as well as specific programs for native Americans and community based resource centers.

Violent Crime Reduction Program. The bill appropriates \$105 million (\$33,000 more than in FY 1999 and \$13.5 million less than the president's request) for a number of violent crime reduction programs. Specific appropriations are included for community schools, runaway youth prevention, a domestic violence hotline, battered women's shelters, and a youth education demonstration project.

Family Preservation and Support. H.R. ____ provides mandatory spending of \$295 million (\$20 million more than in FY 1999 and equal to the president's request) for family support and preservation activities. The program provides grants to states to develop and expand innovative child welfare services, including family preservation, family reunification, and community-based family support services for at-risk families.

Payments to States for Foster Care and Adoption Assistance. The measure provides \$4.3 billion for this mandatory entitlement program which, along with \$1.4 billion in advance appropriations from FY 1999, makes available \$5.7 billion for this program—\$543.3 million more than last year and \$5 million less than the president's request. The program provides funding to states with programs directed to increase their rates of permanently placing foster care children with caring families. Included in the appropriation is \$4.5 billion (\$554.5 million more than last year) for payments to states on behalf of children who must live outside their home, \$1 billion (\$151.3 million more than last year) for adoption assistance, and \$105 million (\$35 million more than last year's level) for the independent living program, which is designed to help foster children aged 16 and older attain a high school diploma, receive vocational training or learn other skills required for independent living. The bill includes an advance appropriation of \$1.5 billion for the first quarter of FY 2001 to ensure timely completion of first quarter grant awards.

Administration on Aging. H.R. ____ provides \$882 million—equal to the FY 1999 level and \$166.1 less than the president's request—for the Administration on Aging, the principal agency charged with carrying out the 1965 Older Americans Act. The agency (1) advises the federal government on the characteristics and needs of elderly people; (2) develops programs to promote the welfare of senior citizens; (3) conducts training programs; and (4) promotes the development of state-administered, community-based social services programs for the elderly. Included in the overall appropriation is \$310.2 million (\$10 million more than last year and equal to the president's request) for supportive services and centers and \$374.3 million (equal to both the president's request and FY 1999 levels) for nutrition programs. The bill does not fund two new initiatives requested by the president totaling \$129 million—a national family caregiver program and a new health disparities intervention program.

General Departmental Management. The measure provides total budgetary resources of \$177.8 million—\$84 million less than in FY 1999 and \$39.6 million less than the president's request, for the administrative expenses of the Department of Health and Human Services, as well as youth abstinence

Department of Education Appropriations, FY 2000					
Appropriation Account	FY 1999 Level	President's Request	FY 2000 Proposal	% Change from Last Year	% Change from Request
	(in millions)		(in millions)		
Education Reform	\$1,514.1	\$1,947.0	\$800.1	-47.2%	-58.9%
Education for the Disadvantaged	\$8,426.9	\$8,743.9	\$8,417.9	-0.1%	-3.7%
Impact Aid	\$864.0	\$736.0	\$907.2	+5.0%	+23.3%
School Improvement Programs	\$2,811.1	\$2,722.5	\$3,115.2	+10.8%	+14.4%
Literacy Initiative	\$260.0	\$286.0	\$200.0	0.0%	-30.1%
Indian Education	\$66.0	\$77.0	\$66.0	0.0%	-14.3%
Bilingual and Immigrant Education	\$380.0	\$415.0	\$380.0	0.0%	-8.4%
Special Education	\$5,124.1	\$5,449.9	\$5,833.1	+13.8%	+7.0%
Rehabilitation Services and Disability Research	\$2,652.6	\$2,717.1	\$2,687.2	+1.3%	-1.1%
American Printing House for the Blind	\$8.7	\$9.0	\$9.0	+3.9%	+0.3%
National Technical Institute for the Deaf	\$45.5	\$47.9	\$48.2	+5.8%	+0.5%
Gallaudet University	\$83.5	\$85.1	\$86.0	+3.0%	+1.0%
Vocational and Adult Education	\$1,556.0	\$1,750.3	\$1,582.2	+1.7%	-9.6%
Student Financial Assistance	\$9,348.0	\$9,183.0	\$9,259.0	-1.0%	+0.8%
Federal Family Education Loans Federal Admin. Expenses	\$47.8	\$48.0	\$46.5	-2.8%	-3.2%
Higher Education	\$1,292.6	\$1,579.2	\$1,151.8	-10.9%	-27.1%
Howard University	\$214.5	\$219.4	\$219.4	+2.3%	0.0%
College Housing & Facilities Loans	\$0.7	\$0.7	\$0.7	0.0%	-5.3%
Historically Black Colleges	\$0.1	\$0.2	\$0.1	0.0%	-53.6%
Educational Research & Statistics	\$456.9	\$540.3	\$390.9	-14.4%	-27.7%
Departmental Management	\$461.8	\$493.3	\$459.2	-0.5%	-6.9%
TOTALS	\$35,614.8	\$37,050.9	\$35,659.7	+0.1%	-3.8%

Source: House Appropriations Committee

counseling programs, the President's Council on Physical Fitness, Minority Health, the Office of Women's Health, the Office of the Inspector General, and the Office for Civil Rights.

Title III — Department of Education

H.R. provides a total of \$35.6 billion, of which \$14.8 billion is appropriated for FY 2001, for programs in the Department of Education.

Education Reform

H.R. includes \$850.1 million for education reform programs, \$664 million less than in FY 1999 and \$1.1 billion less than the president's request.

Goals 2000: Educate America Act. The bill provides no funding for programs authorized by Title III of the Goals 2000: Educate America Act; the president requested \$461 million for the account. The Goals 2000 programs are due to expire at the end of FY 2000. Consistent with the Teacher Empowerment Act (H.R. 1995), which passed the House by a vote of 239-185 on July 20, 1999, the measure consolidates funding for this account under a new line item.

School-to-Work Opportunities. The bill does not provide funding for state grants and local partnership programs to ease the transition from school to the work world. The president requested \$55 million for the program, which was funded at \$125 million last year. The committee notes that the program is being phased out as states assume full responsibility for institutionalizing their school-to-work systems.

Education Technology. The bill provides \$550.1 million, \$148 million less than last year and \$250.9 million less than the president's request, for assistance to states for integrating technology into their elementary and secondary school curriculum. Previously, the amount was appropriated under the education research and improvement account. Sub-account appropriations include:

- * \$425 million (equal to last year and \$25 million less than the president's request) for the technology literacy challenge fund to assist states in integrating technology into education curricula;
- * \$115 million (equal to last year and \$5.1 million more than the president's request) for technology innovation challenge grants to support partnerships among educators, business, and industry to develop innovative applications of technology and plans for fully integrating technology into schools; and
- * no funding (\$10 million below both last year and the president's request) for regional technology in education consortia to support six regional programs of information and resource dissemination, professional development, and technological assistance. The committee notes that the program lacks baseline data and performance-based indicators and thus does not warrant new funding.

Education for the Disadvantaged

H.R. ____ provides \$8.4 billion—\$9 million less than the FY 1999 level and \$326 million less than the president's request—for education programs authorized under Title I of the 1965 Elementary and Secondary Education Act (ESEA) and the 1965 Higher Education Act (HEA) targeted at education for the disadvantaged.

Grants to Local Educational Agencies. The bill provides \$6.6 billion, equal to FY 1999 and \$434 million more than the president's request, for funding to communities with a high percentage of disadvantaged youths. The vast majority of the appropriation can be accounted for in grants—specifically basic grants—to local educational agencies that receive funds authorized by Title I of the Elementary and Secondary Education Act. No funds in this account are provided for targeted grants, for which the president requested \$756 million. Federal assistance flows to school districts by formula, based in part on the number of school-aged children from low-income families. Local school districts develop and implement their own programs to meet the needs of disadvantaged students. In addition, the bill includes \$120 million for demonstrations of innovative practices, the same as last year but \$30 million less than the president's request.

Even Start. The bill provides \$150 million, \$15 million more than last year and \$5 million more than the president's request, for this program which provides demonstration grants for local programs that are successful in assisting disadvantaged children aged one to seven years.

State Agency Migrant Programs. The bill provides \$354.7 million—equal to FY 1999 and \$25.3 million less than the president’s request—for migrant education programs, which focus primarily on providing English education to children of agricultural migrant workers and fishermen.

State Agency Programs. The bill provides \$40.3 million, equal to last year and \$1.7 million less than the president’s request, for the state agency program for neglected and delinquent children. This formula grant program provides services to participants in institutions for juvenile delinquents, adult correctional institutions, and institutions for the neglected.

Evaluation. H.R. ____ provides \$7.5 million, the same as last year and \$1.4 million less than the president’s request, for Title I evaluation, which supports large scale national evaluations that examine how Title I is contributing to improved student performance at the state, local education agency, and school levels.

Migrant Education, High School Equivalency Program. The bill provides \$9 million—equal to FY 1999 and \$6 million less than the president’s request—for the high school equivalency program, which enrolls participants into GED programs and subsequently into jobs or college.

College Assistance Migrant Programs. The bill includes \$4 million for the college assistance migrant program, the same as last year and \$3 million less than the president’s request. Through this program, the department has been developing indicators of success for the college migrant assistance program—presenting baseline data on the number of participants that attend and complete college.

Impact Aid

The bill provides \$907.2 million for Impact Aid, \$43.2 million more than in FY 1999 and \$171.2 million more than the president’s request. Impact Aid was established in the early 1950s to compensate school districts for the cost of educating children when student enrollments and the availability of revenues from local sources have been adversely affected by federal activities. Funds are currently made available for operating expenses and construction assistance. Payments are made principally to school districts for the cost of educating children (1) who reside on federal property, certain Indian lands, or in federally-subsidized, low-rent housing; or (2) whose parents work on federal property or are in the armed services. The program provides support payments to 1,700 school districts on behalf of 1.5 million children. The bill does not, as the president proposed, limit the number of districts receiving payments or limit the number of children on whose behalf payments are made.

School Improvement Programs

The bill provides a total of \$3.1 billion, \$304.1 million more than FY 1999 and \$392.7 million more than the president’s request, for a number of educational development, drug enforcement, and other school improvement fellowships and grants that do not fall under Title I of the Elementary and Secondary Education Act.

Professional Development. The bill provides no funding for the Eisenhower Professional Development program, the largest federal effort to improve teachers, especially for math and science, which received \$335 million last year (the same as the president’s FY 2000 budget request). The measure consolidates this program under the Teacher Empowerment line item.

Program Innovation. The bill provides \$385 million, \$10 million more than in FY 1999 (the president requested no funding), for technology and training, educational materials, magnet schools, gifted and talented programs, and parental involvement activities.

Class-Size Reduction. The bill provides no funding for the president's \$1.4 billion class-size reduction initiative. The measure provides funding for this program under the Teacher Empowerment account. The committee notes that a recent study of California's class-size reduction initiative has produced mixed results. For example, the study found that skilled and experienced teachers are moving to more affluent suburbs, leaving uncredentialed teachers in schools with the most disadvantaged children.

Safe and Drug-Free Schools and Communities. The bill provides \$566 million—equal to FY 1999 and \$25 million less than the president's request—for state programs under the Safe and Drug-Free Schools and Communities Act. The program supports state formula grants for comprehensive, integrated approaches to drug and violence prevention. Of this amount, the bill provides \$90 million for national programs.

Magnet and Charter Schools. The bill provides \$104 million, equal to last year and \$10 million less than the president's request, for magnet schools, which offer special curriculum such as performing arts and attract racially diverse students. The bill also fully funds the president's request of \$130 million (\$30 million more than FY 1999) for charter schools, which are exempt from state and local management rules limiting flexibility in operation and management.

Technological Assistance for ESEA Programs. The bill provides \$27.1 million, \$946,000 less than in FY 1999 and \$4.9 million less than the president's request, for comprehensive regional assistance centers for improving programs under the Elementary and Secondary Education Act (ESEA).

Other School Improvement Programs. The bill provides an additional \$70.6 million, equal to last year and \$11.4 million less than the president's request, for a number of other school improvement programs including education for native Hawaiians, Alaska native education equity, and women's education equity.

America Reads Challenge

The bill provides \$200 million—\$60 million less than FY 1999 and \$86 million less than the president's request—for competitive, three-year grants to state educational agencies that have established a reading and literacy partnership. States that receive funding will make two-year "local reading improvement grants" on a competitive basis to local educational agencies.

Indian Education

H.R. ____ includes \$66 million for Indian education programs, the same as last year and \$11 million less than the president's request. Beginning in FY 1998, this program was funded under Labor/HHS/Education appropriations instead of the Interior Appropriations Act. The program's purpose is to reform elementary and secondary school programs that serve Indian students in way that helps these students reach the same educational standards that apply to all students.

Grants to Local Education Agencies. The bill provides \$62 million—\$2.3 million more than last year and the same as the president's request—to provide assistance through formula grants to school districts

and schools supported or operated by the Indian Affairs Bureau. The program is intended to reform elementary and secondary school programs that serve Indian students, including preschool children.

Bilingual and Immigrant Education

The bill provides \$380 million, the same as in FY 1999 and \$35 million less than the president's request, for bilingual and immigrant education programs authorized by Title VII of ESEA. The bill's funding supports the education of students who need extra help to become proficient in English, and awards grants to states that enroll substantial numbers of immigrant children to help pay for supplemental education. Bilingual education is a topic of controversy among many educators and lawmakers. Supporters believe teaching all subjects in two or more languages is a valuable way of teaching immigrant children English. Opponents argue that bilingual education has failed, and many children enrolled in the programs cannot speak either language fluently. Instead, they support English-as-a-Second Language, where children are totally immersed in an English-speaking setting. Of the total provided, the bill includes:

- * \$160 million (the same as last year and \$10 million less than the president's request) for instructional services. Instructional services programs assist local educational agencies (LEAs) in implementing programs for limited English-proficient (LEP) students;
- * \$14 million for support services (the same as both last year and the president's request) which provide discretionary grants in (1) research and evaluation, (2) dissemination of effective instructive models, (3) data collection and technical assistance, and (4) a national clearinghouse to support the collection, analysis, and dissemination of information about programs for LEP students;
- * \$50 million (the same as last year and \$25 million below the president's request) for professional development to increase the pool of trained teachers and strengthen the skills of teachers providing instruction to LEP students;
- * \$150 million (the same as both last year and the president's request) for immigrant education to provide assistance to local educational agencies that have large numbers of recently arrived immigrant students; and
- * \$6 million (the same as last year and the president's request) for the foreign language assistance program.

Special Education

The bill provides \$5.8 billion, \$500 million more than in FY 1999 and \$383.3 million more than the president's request, for programs for children with disabilities authorized under the IDEA.

State Grants. The bill provides \$4.8 billion for grants to states for special education, \$500 million more than in FY 1999 and \$496.7 million more than the president's request. These grants assist states in meeting the excess costs of providing special education to children with disabilities. To qualify for these funds, states must make free appropriate public education available to all such children. In addition, H.R. 4274 provides:

- * \$374 million (the same as last year and \$28.5 million less than the president's request) for preschool grants in order for states to make special education available to kids aged three to five;
- * \$370 million (the same as in FY 1999 and \$20 million less than the president's request) for grants for infants and families so that states can develop and implement statewide systems of coordinated, comprehensive programs to provide early intervention services to all children aged birth to two-years-old;

IDEA National Programs. The bill provides a total of \$278.5 million, \$1 million less than FY 1999 and \$65 million less than the president's request, for state improvement, research, personnel preparation, parent information centers, and technology and media services, which are authorized under the Individuals with Disabilities in Education Act.

Rehabilitation Services and Disability Research

The bill provides \$2.7 billion, \$34.6 million more than in FY 1999 and \$30 million less than the president's request, for a number of programs to assist individuals with disabilities. The 1998 Workforce Investment Act redesignated all programs in this account, with the exception of vocational rehabilitation state grants, as discretionary funding. The bill provides \$2.3 billion for vocational rehabilitation state grants, \$34.6 million more than in FY 1999 and equal to the president's request. These grants support a wide range of services designed to help persons with physical and mental disabilities prepare for gainful employment.

Special Institutions for Persons with Disabilities

American Printing House for the Blind. The bill provides \$9 million, \$339,000 more than in FY 1999 levels and \$27,000 more than the president's request, for the production of education materials for the blind.

National Technical Institute for the Deaf (NTID). The bill provides \$48.2 million, \$2.6 million more than last year and \$226,000 more than the president's request, for a consolidated block grant to fund the NTID, an institution that provides postsecondary education and training for the deaf.

Gallaudet University. The bill provides \$86 million, \$2.5 million more than in FY 1999 and \$860,000 more than the president's request, for the 130-year old, non-profit educational facility for the deaf. The bill allows Gallaudet to transfer a portion of its appropriation to its endowment fund as long as it reports the action to Congress.

Vocational and Adult Education

The bill provides \$1.5 billion, \$23.7 million less than in FY 1999 and \$218 million less than the president's request, for (1) adult, vocational, and applied education programs; (2) homeless education assistance; and (3) literacy programs.

Basic Grants. The measure provides \$1 billion (equal to both last year and the president's request) for basic grants to states under the Carl D. Perkins Vocational and Applied Technology Education Act.

Tech-Prep. The bill also provides \$106 million—the same as last year and \$5 million less than president’s request—for tech-prep programs that help disadvantaged students make the transition from school to work.

Adult Education. The bill provides \$365 million—equal to FY 1999 and \$103 million less than the president’s request—for state and national adult education programs. State formula grants support programs to enable all adults to acquire basic literacy skills, complete secondary education, and become employable, productive, and responsible citizens.

National Programs. H.R. ____ provides \$7 million—\$7 million less than in FY 1999 and \$94 million less than the president’s request—for national research programs, which support the conduct and dissemination of research in vocational education, including funding for the National Center for Research in Vocational Education, six regional curriculum coordination centers, and other discretionary research.

In addition, H.R. ____ provides (1) \$4.1 million (the same as both last year and the president’s request) for grants for tribally controlled postsecondary vocational institutions; and (2) \$6 million (equal to both last year and the president’s request) for the National Institute for Literacy, which supports research and development projects, tracks progress made toward national literacy goals, supports research fellowships, disseminates information through national clearinghouse, and coordinates literacy information data from national and state sources.

Student Financial Assistance

H.R. ____ provides \$9.2 billion, \$99 million less than in FY 1999 and \$66 million more than the president’s request, for a number of state and federal secondary education assistance programs.

Pell Grants. The bill provides \$7.6 billion, \$84 million less than in FY 1999 and \$157 million more than the president’s request, for the means-tested Pell grant program. The bill raises the maximum award to \$3,275, \$150 more than in FY 1999 and \$25 more than the president’s request.

Federal Supplemental Education Opportunity Grants. The bill provides \$619 million, the same as in FY 1999 and \$12 million less than the president’s request, for grants administered through post-secondary institutions to qualified students who demonstrate exceptional financial need to meet the costs of education.

Federal Work-Study. The measure appropriates \$880 million, \$10 million more than in FY 1999 and \$54 million less than the president’s request, for funds administered by postsecondary institutions given to students who work part-time to meet the costs of education.

Federal Perkins Loan Program. The bill provides \$100 million in funding for new capital contributions to Perkins Loan revolving loan funds, the same as both last year and the president’s request. Funding for this account has been transferred to the Pell grant program. In addition, the bill provides \$30 million for federal Perkins loans cancellations, the same as both last year and the president’s request.

Miscellaneous Programs

Federal Family Education Loans (FFEL) Program. The bill provides \$46.5 million, the same as FY 1999 and \$1.5 million less than the president’s request, for the administrative costs of this program. Formerly called the Guaranteed Student Loan (GSL) Program, this initiative supports loans financed with

private capital and insured by the federal government against borrower default, death, disability, or bankruptcy. Federal costs include payments for insurance claims, support for borrower interest subsidies and benefits, and mandatory administrative expenses.

Higher Education. The bill provides \$1.2 billion for higher education, \$140.8 million less than in FY 1999 and \$427.4 million less than the president's request. Appropriations for this account support a variety of postsecondary programs. Specific appropriations include:

- * \$60.3 million (equal to FY 1999 and \$1.3 million less than the president's request) for institutional development, which includes operating subsidies and grants for institutions that serve minority and low-income students;
- * \$136 million (the same as in FY 1999 and \$12.8 million less than the president's request) for strengthening historically black colleges and universities;
- * \$30 million (equal to FY 1999 and \$2 million less than the president's request) for strengthening historically black graduate institutions;
- * \$22.5 million (\$27.5 million less than in FY 1999 and \$5 million less than the president's request) for the fund to improve postsecondary education;
- * \$68.5 million (\$2 million more than in FY 1999 and \$536,000 more than the president's request) for international education and foreign language studies; and
- * \$660 million (\$60 million more than in FY 1999 and \$30 million more than the president's request) for six TRIO programs, which provide a variety of outreach and support services to encourage low-income, potential first-generation college students to enter and complete college.

Howard University. The bill provides \$219.4 million, \$5 million more than FY 1999 levels and equal to the president's request, for Howard University, located in Washington, D.C. Direct appropriations for the school began in 1867 and fund research, endowment grants, construction, and the university hospital.

College Housing and Academic Facilities Loans Program. The bill provides \$698,000—the same as in FY 1999 and \$39,000 below the president's request—to support the federal administration of the college housing and academic facilities loan program.

Historically Black College and University Capital Financing Program. The bill provides \$96,000—equal to FY 1999 and \$111,000 less than the president's request—for this program. Authorized by the 1992 Higher Education Act, the program makes capital available for repairing and renovating facilities at historically black institutions.

Education Research, Statistics, and Improvement. The bill provides \$390.9 million, \$66 million less than in FY 1999 and \$149.4 million less than the president's request, for this program. This account supports education research, statistics, assessment, and improvement activities at the Department of Education.

Related Agencies Appropriations, FY 2000

Appropriation Account	FY 1999 Level	President's Request	FY 2000 Proposal	% Change from Last Year	% Change from Request
	(in millions)		(in millions)		
Armed Forces Retirement Homes	\$70.7	\$68.3	\$68.3	-3.5%	0.0%
Domestic Volunteer Service Program	\$276.8	\$299.5	\$275.0	-0.7%	-8.2%
Corporation for Public Broadcasting	\$403.0	\$370.0	\$350.0	-13.2%	-5.4%
Federal Mediation & Conciliation Service	\$34.6	\$36.8	\$34.6	0.0%	-6.0%
Federal Mine Safety and Health Review Commission	\$6.1	\$6.2	\$6.1	0.0%	-1.6%
Institute of Museum and Library Services	\$166.2	\$154.5	\$149.5	-10.0%	-3.2%
Medicare Payment Advisory Commission	\$7.0	\$7.0	\$7.0	0.0%	0.0%
National Commission on Libraries and Information Science	\$1.0	\$1.3	\$1.0	0.0%	-23.1%
National Council on Disability	\$2.3	\$2.4	\$2.3	0.0%	-2.3%
National Education Goals Panel	\$2.1	\$2.3	\$2.1	0.0%	-6.7%
National Labor Relations Board	\$184.5	\$210.2	\$174.7	-5.3%	-16.9%
National Mediation Board	\$8.4	\$9.1	\$8.4	0.0%	-7.7%
Health Review Commission	\$8.1	\$8.5	\$8.1	0.0%	-4.7%
Social Security Administration	\$36,260.5	\$36,550.4	\$36,315.4	+0.2%	-0.6%
Railroad Retirement (RR) Board	\$178.0	\$165.0	\$165.0	-7.3%	0.0%
Limitations on RR Administration	\$96.0	\$91.9	\$95.4	-0.6%	+3.8%
Federal Payment to RR Account	\$0.2	\$0.2	\$0.2	0.0%	0.0%
U.S. Institute of Peace	\$12.2	\$13.0	\$12.2	0.0%	-6.5%
TOTALS	\$37,717.6	\$37,996.5	\$37,675.2	-0.1%	-0.8%

Source: House Appropriations Committee

Departmental Management. The bill provides \$459.2 million, \$2.5 million less than in FY 1999 and \$34 million less than the president's request, for departmental management. This appropriation covers costs associated with managing and operating the department. Specifically, the appropriation funds the Office of Civil Rights (at \$66 million) and the Office of the Inspector General (at \$31.2 million).

Title IV — Related Agencies

Armed Forces Retirement Homes. The bill provides \$68.3 million—\$2.5 million less than in FY 1999 and equal to the president's request—for facility maintenance and construction, as well as the capital program, at the United States Soldiers' and Airmen's Home and the United States Naval Home. The Soldiers' and Airmen's Home was established in 1850 and is located in Washington, D.C. The U.S. Naval Home is located in Gulf Port, Mississippi. Both homes provide retirement housing for members of all the armed forces who meet certain criteria.

Corporation for National and Community Service (CNCS). The corporation is the principal government agency for administering and coordinating federal volunteer service programs under the president's National and Community Service Act. None of the programs funded through this account have been authorized for FY 2000. The CNCS administers AmeriCorps—which is funded in the VA/HUD appropriations bill—and the following programs funded as part of this bill:

- * **Volunteers in Service to America (VISTA).** The measure provides \$73 million for VISTA, equal to FY 1999 and \$8 million less than the president's request. Since 1965, volunteers have worked in projects designed to assist low-income individuals achieve

self-sufficiency by focusing on hunger, homelessness, illiteracy, unemployment, drug and alcohol abuse, domestic violence and child abuse, and the needs of low-income seniors and the handicapped.

- * **National Senior Volunteer Corps.** The bill provides \$172.8 million—\$1 million less than the FY 1999 level and \$12.2 million less than the president’s request—for the corps, which coordinates the following three older-American volunteer programs: (1) the Foster Grandparents Program, which provides opportunities for volunteers to help children with physical, mental, emotional, or social disabilities; (2) the Senior Companion Program, which allows volunteers to assist older adults who have physical, mental, or emotional impairments; and (3) the Retired Senior Volunteer Program, which gives volunteers the opportunity to assist special-need children in mental health facilities, youth detention centers, and special schools. The purpose of these programs is to provide meaningful volunteer service opportunities for low-income people aged 60 and over.

Corporation for Public Broadcasting (CPB). The bill provides \$340 million—equal to last year and \$10 million less than the president’s request—for the CPB, a private, nonprofit corporation that was authorized by the 1967 Public Broadcasting Act to promote the growth and development of public radio and television in the United States. The program is forward-funded for two years, so all appropriations this year will fund the CPB through FY 2002. The bill includes \$10 million for a digital conversion initiative, if authorized by September 30, 2000.

Federal Mediation and Conciliation Service. H.R. ____ provides \$34.6 million—equal to FY 1999 and \$2.2 million less than president’s request—for this agency, which attempts to prevent and minimize labor-management disputes that may have a significant impact on interstate commerce or national defense (not including the railroad and airline industries). It conducts dispute mediation and arbitration, and convenes boards of inquiry appointed by the president in emergency disputes.

Federal Mine Safety and Health Review Commission. The bill provides \$6.1 million, identical to the FY 1999 appropriation but \$99,000 less than the president’s request, for this agency established by Congress in 1977. The commission is an independent, quasi-judicial agency responsible for reviewing Labor Department activities (e.g., issuing citations or closure orders and imposing civil penalties) and protecting miners against unlawful discrimination. The commission’s administrative law judges hear and decide cases initiated by the Labor Secretary, mine operators, and miners.

Institute of Museum and Library Services. The measure provides \$149.5 million for the institute, \$16.7 million less than last year and \$5 million less than the president’s request. The institute makes state formula grants for library services and discretionary national grants for joint library and museum projects.

Medicare Payment Advisory Commission. The bill allocates \$7 million—equal to both last year and the president’s request—for the commission, which advises Congress on matters of physician and hospital reimbursement under the Medicare and Medicaid programs.

National Labor Relations Board (NLRB). The measure provides \$174.6 million, \$9.8 million less than the FY 1999 level and \$35.5 million less than the president’s request. The NLRB is an independent agency created by the 1935 National Labor Relations Act that serves two principal functions: (1) preventing and remedying unfair labor practices by employers and labor organizations, and (2) conducting secret ballot elections among employees to determine whether they desire representation by a labor organization.

National Mediation Board. The bill provides \$8.4 million for this account, equal to FY 1999 and \$700,000 less than the president's request. The National Mediation Board, created by Congress in 1934, mediates disputes over wages, hours, and working conditions that arise between employees and railroad and airline carriers subject to the Railway Labor Act. The board also resolves disputes involving labor organizations that represent railroad or airline employees.

Occupational Safety and Health Review Commission. The measure provides \$8.1 million—the same as last year and \$400,000 less than the president's request—for this independent, quasi-judicial agency which was established in 1970. It works to ensure the timely and fair resolution of cases involving the alleged exposure of American workers to unsafe or unhealthy working conditions. It also is charged with ruling on cases forwarded to it by the Department of Labor when disputes arise over the results of OSHA inspections.

Railroad Retirement Board (RRB). H.R. ____ appropriates \$175 million—\$14 million less than last year and equal to the president's request—for dual benefits of the RRB. The Railroad Retirement Board was established by the 1935 Railroad Retirement Act and administers comprehensive retirement-survivor and unemployment-sickness benefit programs for the nation's railroad workers and their families. Appropriations for the board cover (1) dual benefits for retirees receiving both railroad retirement and social security benefits, (2) administrative costs, and (3) special administrative expenses such as efforts to improve claims processing, debt collection, fraud control, tax accounting, and trust fund integrity and information systems. The bill includes a provision permitting a portion of these funds to be derived from income tax receipts on dual benefits as authorized by law. The Railroad Retirement Board estimates that approximately \$11 million may be derived in this manner.

Federal Payment to Railroad Retirement. The measure provides \$150,000 for the interest earned on unnegotiated checks to the railroad retirement account—equal to both last year and the president's request.

Limitations on RRB Administration. The bill provides \$90 million from the railroad retirement and railroad unemployment trust funds for administrative expenses of the RRB—the same as last year and \$3.5 million more than the president's request. In addition, the measure provides \$5.4 million from the railroad retirement and railroad unemployment insurance trust funds for the Office of Inspector General—\$394,000 less than in FY 1998 and equal to the president's request.

Social Security Administration. H.R. ____ provides total budgetary resources of \$36.3 billion, \$54.9 million more than FY 1999 and \$235 million less than the president's request, for Social Security Administration programs, including the following:

- * **Payments to the Social Security Trust Funds.** The bill provides the mandatory \$20.8 billion—\$1.1 million more than in FY 1999 and equal to the president's request—for the federal government's contribution to the Social Security trust funds.
- * **Special Benefits for Disabled Coal Miners.** The measure matches the president's request of \$524.6 million—\$22.2 million less than in FY 1999—to be combined with previous forward-funded appropriations to meet the mandatory payments for coal miners who suffer from black lung and other ailments caused by their former work environment.

- * **Supplemental Security Income (SSI).** The bill provides \$21.5 billion—\$321 million less than in FY 1999 and \$89 million less than the president’s request—to be combined with an advance of \$8.7 million from the FY 1998 appropriations bill for this program. SSI provides cash benefits to individuals who for physical reasons have little or no income. The program is expected to service nearly 6.3 million people this year.

United States Institute of Peace. The bill provides \$12.2 million—equal to the FY 1999 level and \$840,000 less than the president’s request—for the institute, which was created by Congress in 1984 as an independent, federal, non-profit corporation to develop and disseminate knowledge about the peaceful resolution of international conflict.

— *Agricultural Programs* —

The measure makes \$508 million—designated as emergency spending—from the Commodity Credit Corporation available to farmers who incurred losses in crop production or livestock as a result of hurricanes that struck the east coast of the U.S. between August and September 1999.

— *Earned Income Tax Credit* —

The measure amends the 1986 Internal Revenue Code to terminate advanced payments of the earned income tax credit (EITC). The EITC is a subsidy available to the working poor. In previous years, the tax credit was paid in one lump sum by the Internal Revenue Service (IRS) at the end of the calendar year. The measure proposes paying out the sum on a monthly basis, which will push some of the payments into the next fiscal year and save the government an estimated \$8.7 billion. If an EITC recipient’s refund is \$600 or less, he will still receive the one-time payment.

— *Legislative Provisions* —

The measure includes a number of significant legislative provisions, which include the following:

Family Planning Clinics. The bill requires clinics receiving Title X family planning funds to notify parents in writing at least five days before providing contraceptives to minors. In addition, the bill requires clinics to comply with state laws requiring notification of sexual abuse, rape, incest, or other crimes.

Needle Exchange Programs (NEPs). The bill prohibits the use of federal funds to finance NEPs.

Abortion. H.R. ____ prohibits all funds appropriated in the bill from being used to pay for an abortion, except in cases of rape, incest, or if the life of the mother is in danger. Additionally, the bill stipulates that Medicare+Choice plans are not required to provide abortion services.

Child Protection. The bill requires any school or library receiving federal funds for the purchase of computers or computer-related equipment to install an obscenity filter on computers to which minors have access.

“Helper” Wage Rates. The bill directs the Labor Department to delay implementing regulations to clarify rules governing “helpers” who are not full-fledged apprentices, as regulated by the Davis-Bacon labor law. The Davis-Bacon provision requires the prevailing wage rate in a region to be paid to helpers on federal construction projects.

National Labor Relations Board (NLRB) Thresholds. The measure indexes for inflation the financial jurisdictional thresholds of the National Labor Relations Board (NLRB). The jurisdiction of the NLRB, which settles labor disputes between unions and management, is based on the gross receipts of a given business. Most of the thresholds have not been changed since 1959; consequently, “bracket creep” has placed many small businesses under the NLRB’s jurisdiction. Supporters of the provision believe it will afford the NLRB a more manageable caseload, allowing it to focus on the disputes of the larger businesses.

Managed Care Regulations. The measure prohibits funds from being used to implement rules proposed by the Labor Department to overhaul the claims process for managed care plans governed by the 1974 Employee Retirement Income Security Act (ERISA; *P.L. 93-406*). The regulations require more rapid responses to requests to see a specialist and a less restrictive process for appealing denied treatment.

Organ Transplantation. H.R. ____ prohibits the implementation of HHS regulations that change the allocation methodology for human organs. These new guidelines were developed because of concerns that the organ allocation process has been dominated by certain regions in the country. The bill also suspends regulations issued by the Health Care Financing Administration requiring, as a condition of participation in Medicare, that hospitals notify local organ procurement networks of all deaths occurring in the hospital.

Costs/Committee Action:

A CBO cost estimate was unavailable at press time.

The Appropriations Committee reported the bill by a vote of 32-26 on September 30, 1999.

Other Information:

“House Panel Moves Labor-HHS Bill With Accounting Gimmicks Galore,” by Sue Kirchhoff, *Congressional Quarterly Weekly*, September 25, 1999, pps. 2224-2225; “Busted Budget,” *The New Republic*, October 18, 1999, p. 11; “As GOP to Tap Earned Income Funding for Labor-HHS,” by Lisa Caruso and Keith Koffler, *National Journal’s Congress Daily*, September 28, 1999, p. 3.



Scott Galupo, 226-2305

Export Enhancement Act

H.R. 1993

Committee on International Relations

H.Rept. 106-325

Introduced by Mr. Manzullo *et al.* on May 27, 1999

Floor Situation:

The House is scheduled to consider H.R. 1993 on Thursday, October 14, 1999. The Rules Committee is scheduled to meet on the bill at 2:00 p.m. on Tuesday, October 13. Additional information on the rule and potential amendments will be provided in a *FloorPrep* prior to floor consideration.

Summary:

H.R. 1993 reauthorizes most commercial export promotion programs involving the U.S. government, including the Overseas Private Investment Corporation (OPIC), the Trade and Development Agency (TDA), and the export promotion functions of the International Trade Administration (ITA) at the Commerce Department.

Overseas Private Investment Corporation (OPIC)

The bill reauthorizes OPIC through FY 2003 or four more years after enactment. It does not raise OPIC's maximum contingent liability. This political risk insurance covers three general areas—expropriation (loss of an investment due to nationalization or confiscation by a foreign government), currency inconvertibility, and the loss of assets or income due to war or terrorism.

The bill also expresses the sense of Congress that:

- * OPIC should set its fees at levels sufficient to cover all operating costs, repay any subsidy appropriations, and set aside adequate reserves against future losses;
- * OPIC should maintain a conservative ratio of reserves to contingent liabilities and limit its obligations in any one country in its worldwide finance or insurance portfolio;
- * projects supported by OPIC should not displace commercial finance or insurance offerings and should encourage private sector financing and insurance participation;
- * independent auditors should report annually to Congress on the level of OPIC's reserves in relation to its liabilities and provide an analysis of the trends in the levels of reserves and liabilities and the composition of its insurance and finance portfolios, including OPIC's investment funds; and
- * OPIC should double the dollar value of its support for small businesses over the next four years.

Trade and Development Agency (TDA)

The bill authorizes \$48 million for FY 2000 for the TDA. The bill also codifies appropriations language requiring the TDA to impose “success” fees on companies that obtain trade deals because of TDA assistance. A success fee is a reimbursement paid to the TDA for conducting a feasibility study.

International Trade Administration (ITA)

H.R. 1993 authorizes \$294 million for the ITA. Of this amount, the bill authorizes \$202 million for the ITA’s U.S. and Foreign Commercial Service (U.S. & FCS) program, \$24 million for its Market Access and Compliance program, and \$68 million for its Trade Development program. It also directs the assistant Commerce Secretary and the director general of the U.S. & FCS to station employees in at least 10 sub-Saharan African countries. It requires the program to station at least one employee in each South and Central American country and station an adequate number of employees throughout the Caribbean.

The bill requires the assistant secretary and the director general to identify and report on U.S. goods and services that are not being exported to Latin America and sub-Saharan Africa but are being provided by competitor nations, and take initiatives to secure greater market access for U.S. exporters of these goods and services. The ITA must develop a “Global Diversity and Urban Export Initiative” to increase exports from minority-owned businesses, particularly from inner city areas; to this end, the measure allows the ITA to advertise in media publications and broadcasts.

H.R. 1993 expresses the sense of Congress that the ITA should facilitate the entrance of U.S. businesses into sub-Saharan African and Latin American countries and that its subsidy, the Commercial Service, should consider expanding its presence in urban areas.

General Provisions

The bill changes current law to allow the president to appoint any OPIC board member to serve as Chairman and Vice Chairman of the Board of OPIC. Current law requires the Agency for International Development (AID) Administrator to serve as chairman and the deputy AID administrator to serve as vice chairman. H.R. 1993 also requires the president to establish a “Strategic Export Plan” to promote U.S. exports to the Middle East, Africa, Latin America, and other emerging markets and integrate the export promotion activities of AID.

Finally, H.R. 1993 requires the Trade Policy Coordinating Committee (TPCC) to (1) report on the actions taken or current efforts to eliminate the areas of overlap and duplication identified between the 19 federal export promotion agencies; (2) coordinate efforts to sponsor or promote trade shows and fairs; (3) work with relevant state and national organizations that have trade promotion offices; (4) report on actions taken to promote better coordination between state, federal, and private sector export promotion activities; and (5) report to Congress by March 30 of each year.

Background:

Overseas Private Investment Corporation (OPIC)

The Overseas Private Investment Corporation (OPIC) was established in 1971 to provide insurance and financing to U.S. companies that invest in overseas markets. OPIC is a government agency that works toward (1) facilitating private sector investment in the developing world, (2) expanding U.S. exports, and (3) advancing U.S. foreign domestic policy goals within certain statutory parameters and guidelines.

Structured as a private corporation, OPIC operates on a self-sustaining basis and has recorded a positive net income for every year of operation. Its supported projects have generated \$58 billion in U.S. exports and created more than 237,000 American jobs. OPIC assists U.S. investors through four major activities designed to promote overseas investment: (1) insuring investments overseas against a broad range of political risks, (2) financing of businesses overseas through loans and guaranties, (3) financing private investment funds, and (4) advocating the interests of the American business community overseas.

OPIC has always been somewhat controversial. Supporters argue that OPIC has a special role in supporting and encouraging U.S. investments in major overseas markets. The agency makes it possible for U.S. companies to participate in privatizing government-owned businesses and infrastructure projects now underway in many countries. These types of investments are long-term and require the assurance of the availability and continuity of OPIC's risk mitigation programs. OPIC projects in these new markets actually create jobs for American workers through exports associated with their implementation. In response to critics who argue that OPIC should be privatized, supporters counter that the organization is entirely self-funded and actually generates money for the U.S. Treasury. They note a 1996 J.P. Morgan study requested by Congress that found that outright privatization of OPIC is neither financially viable nor desirable from a policy standpoint.

Furthermore, supporters point out that U.S. firms find themselves competing overseas not only against foreign companies, but against foreign governments that provide very strong support for their exporters. In these cases, government-supported financing often becomes the determining factor in winning contracts. U.S. companies want to compete against foreign competitors based on price, quality, technology, and delivery. However, U.S. companies should not be expected to compete alone when powerful foreign governments are engaged in the battle.

Opponents of OPIC argue that such subsidies tend to distort the flow of capital and resources away from the most efficient uses and to distort trade and investment flows abroad. By promoting investment abroad, OPIC may crowd out, and thereby reduce, some domestic investment. Furthermore, as long as OPIC's non-federal collections, or the fees it charges the public for its services, are not sufficient to cover all of its credit and non-credit activities, it will have a negative impact on the federal government's budget, whether or not it receives a direct appropriation.

Even though OPIC is expected to generate revenues totaling \$204 million in FY 2000, opponents argue that the revenues largely come from interest on U.S. treasury bonds, and this figure does not take into account the amount that U.S. taxpayers are obligated to pay as underwriters of OPIC-insured investment. The accumulated value of insured investments is more than \$15 billion. American taxpayers typically are liable for 90 percent of the insured investment in the event the policy must be paid. Opponents conclude that OPIC has become a corporate welfare program that subsidizes investment insurance and loans for

private business. Therefore, *Fortune* 500 companies realize large profits while the taxpayer buys the insurance to offset their investment risk in less developed countries.

Trade Development Agency (TDA)

The Trade Development Agency (TDA) began its operations in 1981. The TDA provides grants directly to foreign countries that hire U.S. companies to conduct feasibility studies for in-country projects such as dam construction, energy production, and telecommunications development. Middle-income developing countries are among the world's fastest-growing markets for U.S. exports. Since many foreign competitor governments fund "aid for trade" programs, some believe that the United States, in order to help its industry be competitive in those markets, should continue current-level or modestly increased support for TDA activities.

International Trade Administration (ITA)

International Trade Administration (ITA) export programs include the Trade Development Office, the International Economic Policy Office, and the Commerce Secretary's stewardship of the Trade Promotion Coordinating Committee (TPCC). The TPCC, which Congress established in 1992, has helped bring greater coordination and effectiveness to export promotion. The budget for export promotion has been holding steady at just under \$240 million annually. The purpose of ITA's export-related budget primarily covers the work of the U.S. and Foreign Commercial Service. The U.S. & Foreign Commercial Service, part of the ITA, has 100 U.S. export assistance centers throughout the U.S. and 141 centers in 76 countries around the world.

Costs/Committee Action:

CBO estimates that enactment of H.R. 1933 will cost \$1.6 billion in discretionary outlays over the next five years. The bill affects direct spending, so pay-as-you-go procedures apply.

The International Relations Committee reported the bill by a vote of 27-8 on July 1, 1999.



Heather Valentine, 226-7860

Motor Carrier Safety Act

H.R. 2679

Committee on Transportation & Infrastructure

H.Rept. 106-333

Introduced by Mr. Shuster *et al.* on August 3, 1999

Floor Situation:

The House is expected to consider H.R. 2679 on Friday, October 15, 1999. The Rules Committee has not yet scheduled a time to meet on the bill. Additional information on the rule and potential amendments will be provided in a *FloorPrep* prior to floor consideration.

Highlights:

H.R. 2679 creates the National Motor Carrier Administration as a separate agency within the Department of Transportation (DOT) to administer federal motor carrier safety programs (these functions are currently managed by the Federal Highway Administration). The bill also (1) increases the authorization for federal and state oversight and enforcement efforts by \$550 million over FYs 2000-2003; and (2) reforms the federal motor carrier safety programs and the commercial driver's license program. Specific details are outlined below.

Background:

The Federal Highway Administration (FHWA) is currently responsible for administering the federal motor carrier safety program. It is also responsible for overseeing more than \$30 billion in federal-aid highway funds. Under this current organizational arrangement, the committee argues that motor carrier safety must compete for attention and resources within the massive highway infrastructure program.

Lawmakers and administration officials have engaged in considerable debate regarding the proper organizational placement of the motor carrier safety function. Over the last several years, the Transportation Committee has held a number of hearings on the Office of Motor Carriers (OMC) and its operations (including its placement within the DOT), the statistical trends related to motor carrier safety, the federal motor carrier safety grants program, and federal and state government roles in overseeing and enforcing motor carrier safety laws and regulations. In 1998, the Appropriations Committee included a provision to transfer the OMC from the Federal Highway Administration to the National Highway Traffic Safety Administration in the FY 1999 transportation appropriations bill. However, the provision was stricken on a point of order during House consideration of the measure.

The FY 2000 Transportation Appropriations Act conference report (H.R. 2084; *H.Rept. 106-355*) included a provision that prohibits funds in the bill from being used to carry out the functions and operations of the Office of Motor Carriers & Highway Safety unless the office is transferred from the Federal Highway Administration. At press time, the president had not yet signed the measure.

The Federal Motor Carrier Safety Program

The federal motor carrier safety program governs the motor carrier safety assistance grant program, the size and weight of vehicles traveling over major highways, the regulations for drivers obtaining commercial driver's licenses, standards for equipment and driver operations including hours-of-service, and the rules for drug and alcohol testing and vehicle registration.

Both federal and state inspectors are responsible for ensuring compliance with the regulations. The primary methods for doing so are roadside inspections and compliance reviews. Roadside inspections of trucks, buses, and their drivers are primarily conducted by states (of the 2.1 million roadside inspections conducted in 1996, only 11,000 were conducted by federal inspectors). Federal inspectors concentrate on compliance reviews, which consist of in-depth reviews of a motor carrier company at its place of business. The compliance review results in an overall rating of the motor carrier, as well as recommendations for improvements. In 1998, the OMC conducted approximately 4,400 compliance reviews (an average of fewer than two compliance reviews per month per safety investigator). The states performed about 2,050 compliance reviews during FY 1998. These reviews equate to performance of a compliance review for less than two percent of the almost 500,000 interstate motor carriers in operation in 1998.

The 1998 Transportation Equity Act for the 21st Century (TEA-21; *P.L. 105-178*) includes a number of provisions that are intended to strengthen motor carrier safety and enforcement efforts. The law authorized the DOT to shut down any carrier that fails to meet safety fitness requirements (previously this had applied only to carriers of hazardous materials and passengers). Civil penalties for motor carrier violations have also been raised to be more consistent with other modes and have been restructured to improve their effectiveness. TEA-21 established a \$10,000 maximum for all non-recordkeeping violations. The law also removed the qualifying conditions and gross negligence standard and capped such penalties at \$2,500.

The Motor Carrier Industry

The motor carrier industry is a large, complex, and diverse sector of the American economy. DOT estimates that the motor carrier industry consists of more than 500,000 interstate truck and bus companies, seven million registered vehicles, and more than nine million commercial drivers. In 1997, the industry collected \$372 billion in gross freight revenues representing 81 percent of the nation's freight bill, moved 6.7 billion tons of freight representing 60 percent of total domestic tonnage shipped, and logged 1.1 billion ton miles representing 29 percent of total domestic inter-city ton miles.

According to DOT, there is approximately 13,000 U.S. bus companies, travelling 25 billion miles annually, covered under federal motor carrier safety regulations, and 33,000 bus driver and vehicle inspections conducted annually with federal funds. Statistically, commercial buses compare favorably under inspection than do other commercial motor vehicles (CMVs). Nationwide, during FY 1998, 10 percent of commercial buses and two percent of commercial bus drivers were removed from service for serious safety violations after inspection, whereas the national out-of-service rate is 20 percent for all commercial motor vehicles and eight percent for all CMV drivers. Of the 37,000 fatal crashes resulting in nearly 42,000 deaths nationwide in 1997, 32 were fatal commercial bus crashes resulting in 41 deaths. There is an average of six fatalities annually (between 1993 and 1997) involving bus occupants (other fatalities include passenger car occupants, bicyclists, or pedestrians).

Provisions:

National Motor Carrier Administration

H.R. 2679 creates the National Motor Carrier Administration (NMCA) to administer truck and bus safety. The agency will be headed by a presidentially-appointed and Senate-confirmed administrator. The measure requires the administrator to consider “safety as its highest priority” in carrying out its duties. The bill also establishes a regulatory ombudsman to ensure that the agency complies with statutory and departmental deadlines for rulemakings. The measure establishes the following three offices within the National Motor Carrier Administration: the office of passenger vehicle safety to oversee bus-related safety issues; the Office of International Affairs to oversee truck safety programs at U.S. borders with Mexico and Canada; and the Office of Consumer Affairs to protect consumers.

Motor Carrier Safety Strategy. The measure requires the Transportation Secretary, as part of the department’s existing strategic planning efforts, to develop and implement a long-term strategy to improve commercial motor vehicle, operator, and carrier safety, and establish four goals to be included in the strategy. The goals include reducing the number and rates of crashes, injuries, and fatalities involving commercial motor vehicles; improving enforcement and compliance programs; identifying fiscal year and targeting enforcement at high-risk carriers, vehicles, and drivers; and improving research. The measure requires the secretary to submit the strategy and annual plan with the president’s annual budget submission, starting with FY 2001. The bill also authorizes both agency-wide bonuses and individual bonuses for new executive positions within the agency (*i.e.*, the administrator, deputy administrator, chief safety officer, and regulatory ombudsman).

Revenue Aligned Budget Authority. H.R. 2679 makes the motor carrier safety grant program eligible to receive additional contract authority through revenue-aligned budget authority (RABA), whereby contract authority is automatically added or subtracted based on receipts of the highway trust fund. Unlike most programs covered by the RABA provision of TEA-21, the motor carrier safety program would not be subject to reductions in contract authority. The bill also reserves contract authority within the administrative account for federal-aid highways to administer motor carrier safety programs and research. However, it does not change the total contract authority available to that account.

Motor Carrier Safety Grant Program. The bill authorizes an additional \$75 million from the Highway Trust Fund for each of FYs 2000-2003 for the motor carrier safety assistance program (MCSAP). The bill also increases the amount of guaranteed funding provided in TEA-21 for MCSAP by the following amounts: \$55 million in FY 2000 and \$65 million for each of FYs 2001-2003. In order to partially offset the funding increase, the bill amends TEA-21 to reduce the obligation ceiling for federal-aid highways program by \$55 million in FY 2000 and by \$65 million for each of FYs 2001-2003. The committee expects that the MCSAP funding increase will allow states to hire more inspectors and safety personnel.

Motor Carrier Safety Advisory Committee. The measure requires the Transportation Secretary to establish a safety advisory committee to advise and make recommendations to the National Motor Carrier Administrator on NMCA matters. The advisory committee will terminate on September 30, 2003.

Commercial Motor Vehicle and Driver Safety

H.R. 2679 contains a number of commercial driver's licenses (CDL) reforms that strengthen CDL disqualifying offenses and sanctions, enhance recordkeeping and data exchange, and prohibit unsafe practices. As a condition for issuing CDL and receiving funds authorized by the bill, states must comply with expanded federal guidelines for issuing and disqualifying driver's licenses. States must check the National Driver Registry and the Commercial Driver's License Information System before issuing any driver's license. The bill also requires states to enter into a binding agreement to spend at least as much on motor carrier safety each year as in FY 1999 in order to receive funds authorized in this bill.

The measure bans the practice of issuing temporary or provisional licenses, so when a driver's CDL is suspended, the driver must serve out the full term of the suspension without driving a CMV. The bill also imposes longer disqualification periods for violations that cause fatalities and requires states to improve their data systems.

24-hour Staffing of Telephone Hotline. The measure requires the DOT to staff its toll-free telephone hotline for reporting safety violations 24 hours a day, seven days a week, by individuals knowledgeable about federal motor carrier safety regulations and procedures.

Border Staffing Standards. The Transportation Secretary must develop and implement appropriate staffing standards for federal and state motor carrier safety inspectors at international border areas. The measure stipulates that if the secretary has not deployed an appropriate level of staff at these areas by FY 2002, then funds will automatically be diverted for this purpose.

Other Provisions. The measure requires the DOT Inspector General to conduct semiannual audits of NMCA's enforcement activities. The bill also requires the DOT to develop a strategy and annual plan to improve motor carrier safety, requires the secretary to prescribe minimum testing standards for the operation of a school bus, establish minimum civil penalties for violations of laws governing motor carrier safety and commercial driver's licenses, and complete a number of additional safety studies.

Costs/Committee Action:

CBO estimates that enactment of H.R. 2679 will result in additional discretionary spending of approximately \$340 million over the FY 2000-2004 period, assuming appropriation actions consistent with the bill. The bill may affect direct spending, so pay-as-you-go procedures apply.

The Transportation Committee reported the measure by voice vote on August 5, 1999.



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